
From: (b)(6), (b)(7)(C)
Sent: Wednesday, February 22, 2017 8:43 AM
To: WCXAGENTS
Subject: FW: Message from Secretary Kelly on Implementation of Executive Orders
Attachments: _S1_Enforcement-of-the-Immigration-Laws-to-Serve-the-National-Interest.pdf; S1_Implementing-the-Presidents-Border-Security-Immigration-Enforcement-Improvement-Policies.pdf

All Hands-

I've attached the .pdf memos that are mentioned below and located at the link below. I encourage all of you to read each of these documents to gain a better understanding of DHS, CBP and OBP path forward. Over the next few weeks to months we will be getting more information from OBP regarding the implementation and execution of the subjects covered in the memos. As more information becomes available we will make sure it is distributed immediately.

Thanks,

(b)(6), (b)(7)(C)

From: Office of the Secretary
Sent: Tuesday, February 21, 2017 2:20 PM
Subject: Message from Secretary Kelly on Implementation of Executive Orders



**Homeland
Security**

February 21, 2017

President Trump recently signed several executive orders that affect our Department's operations and impact the execution of our mission to secure the homeland. As you have likely seen reported, the implementation of these executive orders has generated a significant amount of interest in what we do, and reinforces the importance of securing the border and enforcing our nation's laws.

Today, I have issued implementation memos regarding two of the executive orders that impact Department operations, *Border Security and Immigration Enforcement Improvements*, and *Enhancing Public Safety in the Interior of the United States*.

These implementation memoranda, along with fact sheets and Q&A documents, are available at www.dhs.gov/executiveorders. I will continue to keep you informed and provide substantive information to help you to successfully perform your duties. As part of this effort, we will ensure this page is updated early and often, as appropriate.

As we implement these executive orders to help keep the American people safe, we are and will remain in

compliance with all federal court orders. As always, I ask each of you to continue to exercise your authority and responsibilities in the most respectful and professional manner.

Thank you again for your service to our great nation and for all you do to accomplish our vital missions.

Sincerely,

John F. Kelly
Secretary of Homeland Security

With honor and integrity, we will safeguard the American people, our homeland, and our values.

From: (b)(6), (b)(7)(C)
Sent: Wednesday, February 22, 2017 3:59 PM
To: (b)(6), (b)(7)(C)
Cc:
Subject: FW: Executive Orders 13767 and 13768 and the Secretary's Implementation Directions of February 20, 2017
Attachments: Final (02-20-2017) Enforcement-of-the-Immigration-Laws-to-Serve-the-National-Interest.pdf; Final (02-20-2017) Implementing-the-Presidents-Border-Security-Immigration-Enforcement-Improvement-Policies.pdf; USBP DHS Training (02-21-2017).pptx; B1 Memoranda - Executive Orders 13767 and 13768 and the Secretary's Implementation Directions of February 20, 2017.pdf; FS Border Security_Imm Enfrmnt Imprvmnts.docx; FS Enhancing Public Safety_Interior US.DOCX

(b)(6), (b)(7)(C)

Read and sign on the attached. Please note TXA tracking and compliance date.

Thanks!

From: (b)(6), (b)(7)(C)
Sent: Wednesday, February 22, 2017 6:37:36 PM
To: TCA-PAICS
Cc: TCA OPS TASKINGS; TCA-COMMANDSTAFF
Subject: FW: Executive Orders 13767 and 13768 and the Secretary's Implementation Directions of February 20, 2017

Folks, as you can see from the string this is a priority topic. Please ensure all of your agents read the memoranda, view the power point and sign a completion roster.

TCA Ops is requesting daily updates be sent to the TCA-OPS mailbox, so we can keep a running tally of agents trained. An email with the total number of agents trained **by date** and total trained **to date** will be due by 8AM daily, commencing February 23, 2017.

PAICs will be responsible for agents at their stations. Program areas will be responsible for all permanent and detailed agents assigned to their areas.

v/r

(b)(6), (b)(7)(C)

*Executive Officer
Tucson Sector*

O
C

(b)(6), (b)(7)(C)

From: (b)(6), (b)(7)(C)
Sent: Wednesday, February 22, 2017 10:19 AM

To: (b)(6), (b)(7)(C)

Subject: FW: Executive Orders 13767 and 13768 and the Secretary's Implementation Directions of February 20, 2017

All,

Attached are the Secretary's Policy Memorandum related to the Presidents Executive Orders on immigration. Also, attached is a policy memorandum and guidance from Chief Vitiello. The new policy is effective immediately and should be disseminated to all agents.

There is a training requirement and the training PowerPoint is attached. Training should commence immediately and a "Read and Sign" roster should be utilized to indicate that agents have read the policy memorandum and reviewed the training PowerPoint. TCA must be 100% compliant by March 7, 2017. An update to the progress of the training is required to USBP by February 28, 2017. Each station shall submit the "read and sign" roster with a memorandum from the PAIC to the CPA indicating 100% compliance to the TCA OPS mail box. TCA Unit Supervisors will submit rosters and memorandum of compliance to their respective Division Chiefs. The Division Chiefs shall submit the "read and sign" roster with a memorandum to the CPA indicating 100% compliance to the TCA OPS mail box.

The February 28, 2017 pulse check may be accomplished by sending an email to the TCA OPS mailbox indicating the total number of agents at the respective station and the number of agents trained to that point, this is in addition to daily reporting. This will also be accomplished by the TCA Division Chiefs.

Questions concerning the Secretary's Memorandum, Chief Vitiello's Memorandum, or the training PowerPoint may be directed to ACPA (b)(6), (b)(7)(C)

The attached documents will also be routed with a cover memorandum from Chief Patrol Agent (b)(6), (b)(7)(C) however this email allows the stations and TCA units to get a rapid start on the dissemination and training requirements.

V/R,

(b)(6), (b)(7)(C)

Assistant Chief Patrol Agent

Law Enforcement Operational Programs

U.S. Border Patrol Tucson Sector

(b)(6), (b)(7)(C) Office
Mobile

From: (b)(6), (b)(7)(C)

Sent: Tuesday, February 21, 2017 11:41:53 AM

To: BP Field Chiefs; BP Field Deputies

Cc: VITIELLO, RONALD D (USBP); (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

PROVOST, CARLA (USBP);

(b)(6), (b)(7)(C)

Subject: Executive Orders 13767 and 13768 and the Secretary's Implementation Directions of February 20, 2017

Chief Patrol Agents must immediately acknowledge receipt of this email and the attached documents.

Chiefs,

Attached you will find four documents;

1. Secretary Kelly's Memorandum entitled *Implementing the President's Border Security and Immigration Enforcement Improvement Policies*
2. Secretary Kelly's Memorandum entitled *Enforcement of the Immigration Laws to Serve the National Interest*

3. Chief Vitiello's Memorandum entitled *Executive Orders 13767 and 13768 and the Secretary's Implementation Directions of February 20, 2017*
4. Department of Homeland Security PowerPoint entitled *Implementing the President's Border Security and Immigration Enforcement Improvement Policies and Enforcement of the Immigration Laws to Serve the National Interest*

It is imperative that the details contained in the memoranda and PowerPoint be disseminated and thoroughly briefed, either in person or by other means and that the contents of the attachments are understood by all Border Patrol agents.

In order to ensure that all agents have received the information attached, send a memorandum of compliance to Border Patrol Headquarters no later than close of business March 7, 2017. The intent is to meet 100% compliance, however, it is understood that there may be exigent circumstances in which 100% compliance cannot be attained. This should be articulated on a case-by-case basis. Please report your completion status through your respective corridors.

(b)(6), (b)(7)(C)

Acting Chief of Staff

United States Border Patrol

Office: **(b)(6), (b)(7)(C)** Mobile: **(b)(6), (b)(7)(C)**

From: (b)(6), (b)(7)(C)
Sent: Wednesday, February 22, 2017 8:41 PM
To: WCX-WC
Subject: FW: Executive Orders 13767 and 13768 and the Secretary's Implementation Directions of February 20, 2017
Attachments: Final (02-20-2017) Enforcement-of-the-Immigration-Laws-to-Serve-the-National-Interest.pdf; Final (02-20-2017) Implementing-the-Presidents-Border-Security-Immigration-Enforcement-Improvement-Policies.pdf; USBP DHS Training (02-21-2017).pptx; B1 Memoranda - Executive Orders 13767 and 13768 and the Secretary's Implementation Directions of February 20, 2017.pdf; FS Border Security_Imm Enfrmnt Imprvmnts.docx; FS Enhancing Public Safety_Interior US.DOCX

WC's

Effective immediately:

Please see the below guidance.

All Agents have been sent the B1 policy, Starting immediately initiate a read and sign and begin to show the ppt. at musters. There is a reporting requirement to TCA by 0800 each morning with current training status.

Please forward all daily stats to SBPA (b)(6), (b)(7)(C) to be forwarded to TCA.

Folks, as you can see from the string this is a priority topic. Please ensure all of your agents read the memoranda, view the power point and sign a completion roster.

TCA Ops is requesting daily updates be sent to the TCA-OPS mailbox, so we can keep a running tally of agents trained. An email with the total number of agents trained *by date* and total trained *to date* will be due by 8AM daily, commencing February 23, 2017.

PAICs will be responsible for agents at their stations. Program areas will be responsible for all permanent and detailed agents assigned to their areas.

From: (b)(6), (b)(7)(C)
Sent: Wednesday, February 22, 2017 10:19 AM
To: (b)(6), (b)(7)(C)
Subject: FW: Executive Orders 13767 and 13768 and the Secretary's Implementation Directions of February 20, 2017

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memorandum of compliance to their respective Division Chiefs. The Division Chiefs shall submit the "read and sign" roster with a memorandum to the CPA indicating 100% compliance to the TCA OPS mail box.

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Questions concerning the Secretary's Memorandum, Chief Vitiello's Memorandum, or the training PowerPoint may be directed to ACPA: (b)(6), (b)(7)(C)

The attached documents will also be routed with a cover memorandum from Chief Patrol Agent (b)(6), (b)(7)(C) however this email allows the stations and TCA units to get a rapid start on the dissemination and training requirements.

V/R,

(b)(6), (b)(7)(C)

Assistant Chief Patrol Agent

Law Enforcement Operational Programs

U.S. Border Patrol Tucson Sector

(b)(6), (b)(7)(C) *Office*
Mobile

From: (b)(6), (b)(7)(C)
Sent: Thursday, February 23, 2017 7:08 AM
To: (b)(6), (b)(7)(C)
Subject: FW: Executive Orders 13767 and 13768 and the Secretary's Implementation Directions of February 20, 2017
Attachments: Final (02-20-2017) Enforcement-of-the-Immigration-Laws-to-Serve-the-National-Interest.pdf; Final (02-20-2017) Implementing-the-Presidents-Border-Security-Immigration-Enforcement-Improvement-Policies.pdf; USBP DHS Training (02-21-2017).pptx; B1 Memoranda - Executive Orders 13767 and 13768 and the Secretary's Implementation Directions of February 20, 2017.pdf; FS Border Security_Imm Enfrmnt Imprvmnts.docx; FS Enhancing Public Safety_Interior US.DOCX

Any numbers to report today

From: (b)(6), (b)(7)(C)
Sent: Wednesday, February 22, 2017 8:41:01 PM
To: WCX-WC
Subject: FW: Executive Orders 13767 and 13768 and the Secretary's Implementation Directions of February 20, 2017

WC's

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From: (b)(6), (b)(7)(C)
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To: (b)(6), (b)(7)(C)
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V/R,

(b)(6), (b)(7)(C)

*Assistant Chief Patrol Agent
Law Enforcement Operational Programs
U.S. Border Patrol Tucson Sector*

(b)(6), (b)(7)(C) *Office
Mobile*

From: (b)(6), (b)(7)(C)
Sent: Friday, February 24, 2017 2:34 PM
To: (b)(6), (b)(7)(C)
Attachments: cbp-teds-policy-20151005_1.pdf

(b)(6), (b)(7)(C)

Deputy Patrol Agent in Charge
Willcox, AZ

(b)(6), (b)(7)(C) Office
Mobile

From: (b)(6), (b)(7)(C)
Sent: Tuesday, February 28, 2017 10:13 AM
To: (b)(6), (b)(7)(C)
Subject: FW: Executive Orders 13767 and 13768 and the Secretary's Implementation Directions of February 20, 2017
Attachments: Final (02-20-2017) Enforcement-of-the-Immigration-Laws-to-Serve-the-National-Interest.pdf; Final (02-20-2017) Implementing-the-Presidents-Border-Security-Immigration-Enforcement-Improvement-Policies.pdf; USBP DHS Training (02-21-2017).pptx; B1 Memoranda - Executive Orders 13767 and 13768 and the Secretary's Implementation Directions of February 20, 2017.pdf; FS Border Security_Imm Enfrmnt Imprvmnts.docx; FS Enhancing Public Safety_Interior US.DOCX

(b)(6), (b)(7)(C)

Get the read and sign for the Admin unit done today, and I see that we are at 127 what percentage is that for WCX.

From: (b)(6), (b)(7)(C)
Sent: Tuesday, February 28, 2017 8:08 AM
To: (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

Cc: TCA-OPS (b)(7)(E) (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

Subject: FW: Executive Orders 13767 and 13768 and the Secretary's Implementation Directions of February 20, 2017

Field Command –

This requirement needs to be completed by the end of the week. We have until 7-March to comply with this and we are only about halfway there. The expectation is 100% of those agents available. Please put an emphasis on getting this done. Make sure you are providing TCA-OPS with the numbers every morning so we can meet out daily HQ reporting requirement.

Thanks

From: (b)(6), (b)(7)(C)

Sent: Tuesday, February 28, 2017 7:55 AM

To: (b)(6), (b)(7)(C)

Cc: TCA-OPS (b)(7)(E)

Subject: FW: Executive Orders 13767 and 13768 and the Secretary's Implementation Directions of February 20, 2017

Here is the latest breakdown:

AJO	(b)(7)(E)
CAG	
BAT	
DGL	
WCX	
NGL	
SON	
TUS	
TPS	
SIU	
TCA	

Total Reported Trained: (b)(7)(E)

(b)(6), (b)(7)(C)

Operations Officer

Tucson Sector

Office: (b)(6), (b)(7)(C)

IPhone: (b)(6), (b)(7)(C)

From: (b)(6), (b)(7)(C)

Sent: Friday, February 24, 2017 8:06 AM

To: (b)(6), (b)(7)(C)

Cc: TCA-OPS (b)(7)(E)

Subject: FW: Executive Orders 13767 and 13768 and the Secretary's Implementation Directions of February 20, 2017

Executive Orders 13767 and 13768 and the Secretary's Implementation Directions of February 20, 2017

Training update:

AJO	(b)(7)(E)
CAG	
BAT	
DGL	
WCX	
NGL	
SON	
TUS	
TPS	
TCA	

Total: (b)(7)(E)

(b)(6), (b)(7)(C)

Operations Officer

Tucson Sector

Office: (b)(6), (b)(7)(C)

IPhone: (b)(6), (b)(7)(C)

From: (b)(6), (b)(7)(C)

Sent: Wednesday, February 22, 2017 11:38 AM

To: TCA-PAICS (b)(7)(E)

Cc: TCA OPS TASKINGS (b)(7)(E) TCA-COMMANDSTAFF (b)(7)(E)

(b)(7)(E)

Subject: FW: Executive Orders 13767 and 13768 and the Secretary's Implementation Directions of February 20, 2017

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v/r

(b)(6), (b)(7)(C)

Executive Officer

Tucson Sector

O
C

(b)(6), (b)(7)(C)

From: (b)(6), (b)(7)(C)

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V/R,

(b)(6), (b)(7)(C)

Assistant Chief Patrol Agent
Law Enforcement Operational Programs
U.S. Border Patrol Tucson Sector

(b)(6), (b)(7)(C) Office
Mobile

From: (b)(6), (b)(7)(C)

Sent: Tuesday, February 21, 2017 11:41:53 AM

To: BP Field Chiefs; BP Field Deputies

Cc: VITIELLO, RONALD D (USBP);

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

PROVOST, CARLA (USBP);

(b)(6), (b)(7)(C)

Subject: Executive Orders 13767 and 13768 and the Secretary's Implementation Directions of February 20, 2017

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(b)(6), (b)(7)(C)

Acting Chief of Staff

United States Border Patrol

Office: (b)(6), (b)(7)(C) Mobile: (b)(6), (b)(7)(C)

From: (b)(6), (b)(7)(C)
Sent: Tuesday, February 28, 2017 10:16 AM
To: (b)(6), (b)(7)(C)
Subject: FW: Executive Orders 13767 and 13768 and the Secretary's Implementation Directions of February 20, 2017
Attachments: Final (02-20-2017) Enforcement-of-the-Immigration-Laws-to-Serve-the-National-Interest.pdf; Final (02-20-2017) Implementing-the-Presidents-Border-Security-Immigration-Enforcement-Improvement-Policies.pdf; USBP DHS Training (02-21-2017).pptx; B1 Memoranda - Executive Orders 13767 and 13768 and the Secretary's Implementation Directions of February 20, 2017.pdf; FS Border Security_Imm Enfrmnt Imprvmnts.docx; FS Enhancing Public Safety_Interior US.DOCX

Are you reporting this through (b)(7)(E) ?

From: (b)(6), (b)(7)(C)
Sent: Tuesday, February 28, 2017 8:08 AM
To: (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

Cc: TCA-OPS (b)(7)(E) (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

Subject: FW: Executive Orders 13767 and 13768 and the Secretary's Implementation Directions of February 20, 2017

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Sent: Tuesday, February 28, 2017 7:55 AM

To: (b)(6), (b)(7)(C)

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AJO
CAG
BAT
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SON
TUS
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(b)(6), (b)(7)(C)

Operations Officer

Tucson Sector

Office: (b)(6), (b)(7)(C)

IPhone: (b)(6), (b)(7)(C)

From: (b)(6), (b)(7)(C)

Sent: Friday, February 24, 2017 8:06 AM

To: (b)(6), (b)(7)(C)

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Subject: FW: Executive Orders 13767 and 13768 and the Secretary's Implementation Directions of February 20, 2017

Executive Orders 13767 and 13768 and the Secretary's Implementation Directions of February 20, 2017

Training update:

AJO
CAG
BAT
DGL
WCX
NGL (b)(7)(E)
SON
TUS
TPS
TCA

Total: 762

(b)(6), (b)(7)(C)

Operations Officer

Tucson Sector

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IPhone: (b)(6), (b)(7)(C)

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Cc: TCA OPS TASKINGS (b)(7)(E) TCA-COMMANDSTAFF (b)(7)(E)

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(b)(6), (b)(7)(C)

Executive Officer

Tucson Sector

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To: BP Field Chiefs; BP Field Deputies

Cc: VITIELLO, RONALD D (USBP);

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

(USBP); PROVOST, CARLA (USBP);

(b)(6), (b)(7)(C)

Subject: Executive Orders 13767 and 13768 and the Secretary's Implementation Directions of February 20, 2017

Chief Patrol Agents must immediately acknowledge receipt of this email and the attached documents.

Chiefs,

Attached you will find four documents;

1. Secretary Kelly's Memorandum entitled *Implementing the President's Border Security and Immigration Enforcement Improvement Policies*
2. Secretary Kelly's Memorandum entitled *Enforcement of the Immigration Laws to Serve the National Interest*
3. Chief Vitiello's Memorandum entitled *Executive Orders 13767 and 13768 and the Secretary's Implementation Directions of February 20, 2017*
4. Department of Homeland Security PowerPoint entitled *Implementing the President's Border Security and Immigration Enforcement Improvement Policies and Enforcement of the Immigration Laws to Serve the National Interest*

It is imperative that the details contained in the memoranda and PowerPoint be disseminated and thoroughly briefed, either in person or by other means and that the contents of the attachments are understood by all Border Patrol agents.

In order to ensure that all agents have received the information attached, send a memorandum of compliance to Border Patrol Headquarters no later than close of business March 7, 2017. The intent is to meet 100% compliance, however, it is understood that there may be exigent circumstances in which 100% compliance cannot be attained. This should be articulated on a case-by-case basis. Please report your completion status through your respective corridors.

(b)(6), (b)(7)(C)

Acting Chief of Staff

United States Border Patrol

Office: (b)(6), (b)(7)(C) Mobile: (b)(6), (b)(7)(C)

From:
Sent:
To:

(b)(6), (b)(7)(C)

Wednesday, February 22, 2017 8:05 AM

(b)(6), (b)(7)(C)

Cc:
Subject:

BBT TASKINGS

FW: Executive Orders 13767 and 13768 and the Secretary's Implementation Directions of February 20, 2017

Attachments:

Final (02-20-2017) Enforcement-of-the-Immigration-Laws-to-Serve-the-National-Interest.pdf; Final (02-20-2017) Implementing-the-Presidents-Border-Security-Immigration-Enforcement-Improvement-Policies.pdf; USBP DHS Training (02-21-2017).pptx; B1 Memoranda - Executive Orders 13767 and 13768 and the Secretary's Implementation Directions of February 20, 2017.pdf

Importance:

High

ALCON,

Attached you will find four documents;

1. Secretary Kelly's Memorandum entitled *Implementing the President's Border Security and Immigration Enforcement Improvement Policies*
2. Secretary Kelly's Memorandum entitled *Enforcement of the Immigration Laws to Serve the National Interest*
3. Chief Vitiello's Memorandum entitled *Executive Orders 13767 and 13768 and the Secretary's Implementation Directions of February 20, 2017*
4. Department of Homeland Security PowerPoint entitled *Implementing the President's Border Security and Immigration Enforcement Improvement Policies and Enforcement of the Immigration Laws to Serve the National Interest*

It is imperative that the details contained in the memoranda and PowerPoint be disseminated and thoroughly briefed, either in person or by other means and that the contents of the attachments are understood by all Border Patrol agents.

In order to ensure that all agents have received the information attached, send an email of compliance to (A)DC (b)(6), (b)(7)(C) by March 3, 2017. The intent is to meet 100% compliance, however, it is understood that there may be exigent circumstances in which 100% compliance cannot be attained. This should be articulated on a case-by-case basis.

(b)(6), (b)(7)(C)

(A)Division Chief
Big Bend Sector

(b)(6), (b)(7)(C) office
cell

(b)(6), (b)(7)(C)

From: (b)(6), (b)(7)(C)
Sent: Wednesday, February 22, 2017 10:38 AM
To: (b)(6), (b)(7)(C)
Subject: RE: Executive Orders 13767 and 13768 and the Secretary's Implementation Directions of February 20, 2017
Attachments: FW: Executive Orders 13767 and 13768 and the Secretary's Implementation Directions of February 20, 2017

(b)(6), (b)(7)(C)

All agents have been sent these documents via email, attached. We will be following up at our musters.

Thanks,

(b)(6), (b)(7)(C)

From: (b)(6), (b)(7)(C)
Sent: Wednesday, February 22, 2017 9:16 AM
To: (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

Cc: BBT TASKINGS (b)(7)(E)
Subject: RE: Executive Orders 13767 and 13768 and the Secretary's Implementation Directions of February 20, 2017

ALCON,

As per USBP HQ, we need an updated compliance account from each station and program by COB on 2/27/17. Please send me an email stating how many of your personnel (percentage) have received the below referenced documents.

Any questions, please let me know.

Thank you,

(b)(6), (b)(7)(C)
(A) Division Chief
Big Bend Sector

(b)(6), (b)(7)(C) office
cell

(b)(6), (b)(7)(C)

From: (b)(6), (b)(7)(C)

Sent: Tuesday, February 21, 2017 10:02 PM

To: (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

Cc: BBT TASKINGS (b)(7)(E)

Subject: FW: Executive Orders 13767 and 13768 and the Secretary's Implementation Directions of February 20, 2017

Importance: High

ALCON,

Attached you will find four documents;

1. Secretary Kelly's Memorandum entitled *Implementing the President's Border Security and Immigration Enforcement Improvement Policies*
2. Secretary Kelly's Memorandum entitled *Enforcement of the Immigration Laws to Serve the National Interest*
3. Chief Vitiello's Memorandum entitled *Executive Orders 13767 and 13768 and the Secretary's Implementation Directions of February 20, 2017*
4. Department of Homeland Security PowerPoint entitled *Implementing the President's Border Security and Immigration Enforcement Improvement Policies and Enforcement of the Immigration Laws to Serve the National Interest*

It is imperative that the details contained in the memoranda and PowerPoint be disseminated and thoroughly briefed, either in person or by other means and that the contents of the attachments are understood by all Border Patrol agents.

In order to ensure that all agents have received the information attached, send an email of compliance to (A)DC (b)(6), (b)(7)(C) by March 3, 2017. The intent is to meet 100% compliance, however, it is understood that there may be exigent circumstances in which 100% compliance cannot be attained. This should be articulated on a case-by-case basis.

(b)(6), (b)(7)(C)

(A)Division Chief

Big Bend Sector

(b)(6), (b)(7)(C) office
cell

(b)(6), (b)(7)(C)

From: (b)(6), (b)(7)(C)
Sent: Wednesday, February 22, 2017 10:35 AM
To: MRS_BP_All
Subject: FW: Executive Orders 13767 and 13768 and the Secretary's Implementation Directions of February 20, 2017
Attachments: Final (02-20-2017) Enforcement-of-the-Immigration-Laws-to-Serve-the-National-Interest.pdf; Final (02-20-2017) Implementing-the-Presidents-Border-Security-Immigration-Enforcement-Improvement-Policies.pdf; USBP DHS Training (02-21-2017).pptx; B1 Memoranda - Executive Orders 13767 and 13768 and the Secretary's Implementation Directions of February 20, 2017.pdf

Importance: High

All,
Please read the documents carefully. We will be briefing them in musters.
There will be a signature roster in the muster room to sign.
If you are unsure of anything in these documents, get with your supervisors.

(b)(6), (b)(7)(C)

From: (b)(6), (b)(7)(C)
Sent: Wednesday, February 22, 2017 7:05 AM
To: (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

Cc: BBT TASKINGS (b)(7)(E)

Subject: FW: Executive Orders 13767 and 13768 and the Secretary's Implementation Directions of February 20, 2017

Importance: High

ALCON,

Attached you will find four documents;

1. Secretary Kelly's Memorandum entitled *Implementing the President's Border Security and Immigration Enforcement Improvement Policies*
2. Secretary Kelly's Memorandum entitled *Enforcement of the Immigration Laws to Serve the National Interest*
3. Chief Vitiello's Memorandum entitled *Executive Orders 13767 and 13768 and the Secretary's Implementation Directions of February 20, 2017*
4. Department of Homeland Security PowerPoint entitled *Implementing the President's Border Security and Immigration Enforcement Improvement Policies and Enforcement of the Immigration Laws to Serve the National Interest*

It is imperative that the details contained in the memoranda and PowerPoint be disseminated and thoroughly briefed, either in person or by other means and that the contents of the attachments are understood by all Border Patrol agents.

In order to ensure that all agents have received the information attached, send an email of compliance to (A)DC (b)(6), (b)(7)(C) by March 3, 2017. The intent is to meet 100% compliance, however, it is understood that there may be exigent circumstances in which 100% compliance cannot be attained. This should be articulated on a case-by-case basis.

(b)(6), (b)(7)(C)

(A)Division Chief

Big Bend Sector

(b)(6), (b)(7)(C) office
cell

(b)(6), (b)(7)(C)

From: (b)(6), (b)(7)(C)
Sent: Wednesday, February 22, 2017 10:34 AM
To: MRS_BP_All
Subject: FW: Executive Orders 13767 and 13768 and the Secretary's Implementation Directions of February 20, 2017
Attachments: Final (02-20-2017) Enforcement-of-the-Immigration-Laws-to-Serve-the-National-Interest.pdf; Final (02-20-2017) Implementing-the-Presidents-Border-Security-Immigration-Enforcement-Improvement-Policies.pdf; USBP DHS Training (02-21-2017).pptx; B1 Memoranda - Executive Orders 13767 and 13768 and the Secretary's Implementation Directions of February 20, 2017.pdf

Importance: High

All,
Please read the documents carefully. We will be briefing them in musters.
There will be a signature roster in the muster room to sign.
If you are unsure of anything in these documents, get with your supervisors.
M1

From: (b)(6), (b)(7)(C)
Sent: Wednesday, February 22, 2017 7:05 AM
To: (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

Cc: (b)(7)(E)
Subject: FW: Executive Orders 13767 and 13768 and the Secretary's Implementation Directions of February 20, 2017
Importance: High

ALCON,

Attached you will find four documents;

1. Secretary Kelly's Memorandum entitled *Implementing the President's Border Security and Immigration Enforcement Improvement Policies*
2. Secretary Kelly's Memorandum entitled *Enforcement of the Immigration Laws to Serve the National Interest*
3. Chief Vitiello's Memorandum entitled *Executive Orders 13767 and 13768 and the Secretary's Implementation Directions of February 20, 2017*
4. Department of Homeland Security PowerPoint entitled *Implementing the President's Border Security and Immigration Enforcement Improvement Policies and Enforcement of the Immigration Laws to Serve the National Interest*

It is imperative that the details contained in the memoranda and PowerPoint be disseminated and thoroughly briefed, either in person or by other means and that the contents of the attachments are understood by all Border Patrol agents.

In order to ensure that all agents have received the information attached, send an email of compliance to (A)DC (b)(6), (b)(7)(C) by March 3, 2017. The intent is to meet 100% compliance, however, it is understood that there may be exigent circumstances in which 100% compliance cannot be attained. This should be articulated on a case-by-case basis.

(b)(6), (b)(7)(C)

(A)Division Chief

Big Bend Sector

(b)(6), (b)(7)(C) office
cell

(b)(6), (b)(7)(C)

From: (b)(6), (b)(7)(C)
Sent: Tuesday, February 21, 2017 1:52 PM
To: (b)(6), (b)(7)(C)
Subject: FW: Executive Orders 13767 and 13768 and the Secretary's Implementation Directions of February 20, 2017
Attachments: Final (02-20-2017) Enforcement-of-the-Immigration-Laws-to-Serve-the-National-Interest.pdf; Final (02-20-2017) Implementing-the-Presidents-Border-Security-Immigration-Enforcement-Improvement-Policies.pdf; USBP DHS Training (02-21-2017).pptx; B1 Memoranda - Executive Orders 13767 and 13768 and the Secretary's Implementation Directions of February 20, 2017.pdf

Importance: High

On it

(b)(6), (b)(7)(C)
Division Chief
Rio Grande Valley Sector
U.S. Border Patrol
O: (b)(6), (b)(7)(C) C: (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)

From: (b)(6), (b)(7)(C)
Sent: Tuesday, February 21, 2017 12:42 PM
To: BP Field Chiefs: (b)(7)(E) BP Field Deputies: (b)(7)(E)
Cc: VITIELLO, RONALD D (USBP) (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
(b)(6), (b)(7)(C) PROVOST, CARLA (USBP)
(b)(6), (b)(7)(C)
Subject: Executive Orders 13767 and 13768 and the Secretary's Implementation Directions of February 20, 2017
Importance: High

Chief Patrol Agents must immediately acknowledge receipt of this email and the attached documents.

Chiefs,

Attached you will find four documents;

1. Secretary Kelly's Memorandum entitled *Implementing the President's Border Security and Immigration Enforcement Improvement Policies*
2. Secretary Kelly's Memorandum entitled *Enforcement of the Immigration Laws to Serve the National Interest*
3. Chief Vitiello's Memorandum entitled *Executive Orders 13767 and 13768 and the Secretary's Implementation Directions of February 20, 2017*
4. Department of Homeland Security PowerPoint entitled *Implementing the President's Border Security and Immigration Enforcement Improvement Policies and Enforcement of the Immigration Laws to Serve the National Interest*

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In order to ensure that all agents have received the information attached, send a memorandum of compliance to Border Patrol Headquarters no later than close of business March 7, 2017. The intent is to meet 100% compliance, however, it is understood that there may be exigent circumstances in which 100% compliance cannot be attained. This should be articulated on a case-by-case basis. Please report your completion status through your respective corridors.

(b)(6), (b)(7)(C)

Acting Chief of Staff

United States Border Patrol

Office: (b)(6), (b)(7)(C) | Mobile: (b)(6), (b)(7)(C)

From: (b)(6), (b)(7)(C)
Sent: Tuesday, February 21, 2017 2:48 PM
To: UVA-MANAGERS
Subject: FW: Executive Orders 13767 and 13768 and the Secretary's Implementation Directions of February 20, 2017
Attachments: Final (02-20-2017) Enforcement-of-the-Immigration-Laws-to-Serve-the-National-Interest.pdf; Final (02-20-2017) Implementing-the-Presidents-Border-Security-Immigration-Enforcement-Improvement-Policies.pdf; USBP DHS Training (02-21-2017).pptx; B1 Memoranda - Executive Orders 13767 and 13768 and the Secretary's Implementation Directions of February 20, 2017.pdf

Importance: High

FYSA...this is coming soon (probably this afternoon) with a cover from Sector. Go ahead and get familiar with the contents and get ready to brief the troops.

Please note the following excerpt:

A. Policies Regarding the Apprehension and Detention of Aliens Described in Section 235 of the Immigration and Nationality Act (INA).

In fulfilling the President's Executive Orders, USBP will, effective immediately, begin implementing new policies to both stem the flow of illegal immigration and facilitate the detection, apprehension, and removal of aliens unlawfully present in the United States. With the exception of the June 15, 2012 memorandum entitled "Exercising Prosecutorial Discretion with Respect to Individuals Who Came to the United States as Children," (DACA) and the November 20, 2014 memorandum entitled "Exercising Prosecutorial Discretion with Respect to Individuals Who Came to the United States as Children and With Respect to Certain Individuals Who Are the Parents of U.S. Citizens or Permanent Residents," (DACA and DAPA) all existing conflicting directives, memoranda, or field guidance regarding the enforcement of our immigration laws and priorities for removal are hereby immediately rescinded; including, but not limited to, the November 20, 2014, memoranda entitled "Policies for the Apprehension, Detention and Removal of Undocumented Immigrants," and "Secure Communities." As the referenced 2012 and 2014 DACA and DAPA memoranda remain in effect, along with applicable court orders, the DHS and CBP posture with respect to DACA and DAPA is not affected by issuance of the Secretary's memoranda of February 20, 2017.

(b)(6), (b)(7)(C)

(A) *Patrol Agent in Charge*
Uvalde Station

(b)(6), (b)(7)(C) Office
Cell

From: (b)(6), (b)(7)(C)

Sent: Tuesday, February 21, 2017 12:42 PM

To: BP Field Chiefs (b)(7)(E) BP Field Deputies (b)(7)(E)

Cc: VITIELLO, RONALD D (USBP) (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

PROVOST, CARLA (USBP)

(b)(6), (b)(7)(C)

Subject: Executive Orders 13767 and 13768 and the Secretary's Implementation Directions of February 20, 2017

Importance: High

Chief Patrol Agents must immediately acknowledge receipt of this email and the attached documents.

Chiefs,

Attached you will find four documents;

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2. Secretary Kelly's Memorandum entitled *Enforcement of the Immigration Laws to Serve the National Interest*
3. Chief Vitiello's Memorandum entitled *Executive Orders 13767 and 13768 and the Secretary's Implementation Directions of February 20, 2017*
4. Department of Homeland Security PowerPoint entitled *Implementing the President's Border Security and Immigration Enforcement Improvement Policies and Enforcement of the Immigration Laws to Serve the National Interest*

It is imperative that the details contained in the memoranda and PowerPoint be disseminated and thoroughly briefed, either in person or by other means and that the contents of the attachments are understood by all Border Patrol agents.

In order to ensure that all agents have received the information attached, send a memorandum of compliance to Border Patrol Headquarters no later than close of business March 7, 2017. The intent is to meet 100% compliance, however, it is understood that there may be exigent circumstances in which 100% compliance cannot be attained. This should be articulated on a case-by-case basis. Please report your completion status through your respective corridors.

(b)(6), (b)(7)(C)

Acting Chief of Staff

United States Border Patrol

Office (b)(6), (b)(7)(C) Mobile (b)(6), (b)(7)(C)

From: (b)(6), (b)(7)(C)
Sent: Wednesday, February 22, 2017 9:52 AM
To: UVA-MANAGERS
Subject: FW: Executive Orders 13767 and 13768 and the Secretary's Implementation Directions of February 20, 2017
Attachments: Final (02-20-2017) Enforcement-of-the-Immigration-Laws-to-Serve-the-National-Interest.pdf; Final (02-20-2017) Implementing-the-Presidents-Border-Security-Immigration-Enforcement-Improvement-Policies.pdf; USBP DHS Training (02-21-2017).pptx; B1 Memoranda - Executive Orders 13767 and 13768 and the Secretary's Implementation Directions of February 20, 2017.pdf

Importance: High

All

Please begin to message this out. I need to send a number of those trained by the 27th so please give me a count, by unit, no later than the morning of the 27th.

Thanks

(b)(6), (b)(7)(C)
(A) Patrol Agent in Charge
Uvalde Station

(b)(6), (b)(7)(C) Office
Cell

From: (b)(6), (b)(7)(C)
Sent: Wednesday, February 22, 2017 8:39 AM
To: DRT-PAICS (b)(7)(E) DRT-DPAICS (b)(7)(E)
Cc: DRT OPS DIV (b)(7)(E)
Subject: FW: Executive Orders 13767 and 13768 and the Secretary's Implementation Directions of February 20, 2017
Importance: High

There is a very aggressive timeline for getting everyone trained up. Please submit a compliance memo addressed to Chief Hudak by COB: Monday, March 6th

Additionally – we need the total number trained by COB: Tuesday, February 27th (to report to OBP)

Should see this out with a cover from Chief (b)(6), (b)(7)(C) later today.

From: (b)(6), (b)(7)(C)
Sent: Tuesday, February 21, 2017 1:10 PM
To: DRT-PAICS (b)(7)(E) DRT-DPAICS (b)(7)(E)
Cc: DRT OPS DIV (b)(7)(E)
Subject: FW: Executive Orders 13767 and 13768 and the Secretary's Implementation Directions of February 20, 2017
Importance: High

You will see this again with a Sector cover on it, just giving you as much visibility and lead time as we have.....

From: (b)(6), (b)(7)(C)

Sent: Tuesday, February 21, 2017 12:42 PM

To: BP Field Chiefs (b)(7)(E) BP Field Deputies (b)(7)(E)

Cc: VITIELLO, RONALD D (USBP) (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

PROVOST, CARLA (USBP)

(b)(6), (b)(7)(C)

Subject: Executive Orders 13767 and 13768 and the Secretary's Implementation Directions of February 20, 2017

Importance: High

Chief Patrol Agents must immediately acknowledge receipt of this email and the attached documents.

Chiefs,

Attached you will find four documents;

1. Secretary Kelly's Memorandum entitled *Implementing the President's Border Security and Immigration Enforcement Improvement Policies*
2. Secretary Kelly's Memorandum entitled *Enforcement of the Immigration Laws to Serve the National Interest*
3. Chief Vitiello's Memorandum entitled *Executive Orders 13767 and 13768 and the Secretary's Implementation Directions of February 20, 2017*
4. Department of Homeland Security PowerPoint entitled *Implementing the President's Border Security and Immigration Enforcement Improvement Policies and Enforcement of the Immigration Laws to Serve the National Interest*

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(b)(6), (b)(7)(C)

Acting Chief of Staff

United States Border Patrol

Office: (b)(6), (b)(7)(C) Mobile: (b)(6), (b)(7)(C)

From:

(b)(6), (b)(7)(C)

Sent:

Friday, February 24, 2017 5:19 PM

To:

DRT-PAICS; DRT-DPAICS;

(b)(6), (b)(7)(C)

Cc:

(b)(6), (b)(7)(C)

Subject:

Executive Orders 13767 and 13768 and the Secretary's Implementation Directions of February 20, 2017

Attachments:

Final (02-20-2017) Implementing-the-Presidents-Border-Security-Immigration-Enforcement-Improvement-Policies.pdf; USBP DHS Training (02-21-2017).pptx; B1 Memoranda - Executive Orders 13767 and 13768 and the Secretary's Implementation Directions of February 20, 2017.pdf; Final (02-20-2017) Enforcement-of-the-Immigration-Laws-to-Serve-the-National-Interest.pdf; 17-0641 - Executive Order 13767 and 13768 and Secretary's Implementation Directions 02222017.pdf

Importance:

High

The attached memorandum outlines Executive Orders 13767 and 13768 and the Secretary's Implementation Directions of February 20, 2017. Effective immediately, U. S. Border Patrol (USBP) will implement this direction from the Secretary, with guidance outlined in the attached documentation.

All uniformed personnel should be trained and familiar with the new policies and guidance. A memorandum indicating your respective station is in compliance should be forwarded to Executive Officer (b)(6), (b)(7)(C) by close-of-business Monday, March 6, 2017.

Any questions regarding these Executive Orders should be addressed to your respective Division Chief or the Del Rio (b)(7)(E) Office.

Thank you,

(b)(6), (b)(7)(C)

Mission Readiness Operations

Del Rio Sector

(b)(6), (b)(7)(C)

(b)(7)(E)

Del Rio, TX 78840

(b)(7)(E)



U.S. Customs and
Border Protection

FEB 24 2017

MEMORANDUM FOR: Headquarters Staff
Patrol Agents in Charge
Deputy Patrol Agents in Charge
Del Rio Sector

FROM: (b)(6), (b)(7)(C) (b)(6), (b)(7)(C)
Acting Chief Patrol Agent
Del Rio Sector

SUBJECT: Executive Orders 13767 and 13768 and the Secretary's
Implementation Directions of February 20, 2017

On February 20, 2017, the Secretary of the Department of Homeland Security (DHS) issued the attached memoranda *Implementing the President's Border Security and Immigration Enforcement Improvements Policies* and *Enforcement of the Immigration Laws to Serve the National Interest*. These new policies outline the implementation of Executive Order 13767, "Border Security and Immigration Enforcement Improvements," and Executive Order 13768, "Enhancing Public Safety in the Interior of the United States," issued by the President on January 25, 2017. Effective immediately, U.S. Border Patrol (USBP) will implement this direction from the Secretary, with guidance as outlined in the attached documentation regarding the following:

- Policies Regarding the Apprehension and Detention of Aliens Described in Section 235 of the Immigration and Nationality Act (INA).
- Priorities for removal.
- Implementing the provisions of Section 235 (b)(2)(C) of the INA to return aliens to contiguous countries.
- Detention of aliens in Border Patrol custody.
- Parole/Own Recognizance authority pursuant to Section 212(d)(5) and 236 of the INA.
- Expanding Expedited Removal pursuant to Section 235 (b)(1)(A)(iii)(I) of the INA.
- Proper processing and treatment of unaccompanied alien minors encountered at the border.

All uniformed personnel should be trained and familiar with the new policies and guidance. A memorandum indicating your respective station is in compliance should be forwarded to Executive Officer (b)(6), (b)(7)(C) by close-of-business Monday, March 6, 2017.

Questions regarding these Executive Orders should be addressed to your respective Division Chief or to the Del Rio Sector (b)(7)(E) Office.

Attachments

EMAIL-000172039

(b)(7)(E)



U.S. Customs and
Border Protection

FEB 21 2017

MEMORANDUM FOR: All Chief Patrol Agents
All Directorate Chiefs (b)(6), (b)(7)(C)

FROM: Ronald D. Vitiello (b)(6), (b)(7)(C)
for Chief
U.S. Border Patrol

SUBJECT: Executive Orders 13767 and 13768 and the Secretary's
Implementation Directions of February 20, 2017

On February 20, 2017, the Secretary of the Department of Homeland Security (DHS) issued the attached memoranda titled *"Implementing the President's Border Security and Immigration Enforcement Improvements Policies"* and *"Enforcement of the Immigration Laws to Serve the National Interest."* These new policies outline the implementation of Executive Order 13767, entitled "Border Security and Immigration Enforcement Improvements," and Executive Order 13768, entitled "Enhancing Public Safety in the Interior of the United States," issued by the President on January 25, 2017. Effective immediately, U.S. Border Patrol (USBP) will implement this direction from the Secretary, with particular guidance as set forth below.

A. Policies Regarding the Apprehension and Detention of Aliens Described in Section 235 of the Immigration and Nationality Act (INA).

In fulfilling the President's Executive Orders, USBP will, effective immediately, begin implementing new policies to both stem the flow of illegal immigration and facilitate the detection, apprehension, and removal of aliens unlawfully present in the United States. With the exception of the June 15, 2012 memorandum entitled "Exercising Prosecutorial Discretion with Respect to Individuals Who Came to the United States as Children," (DACA) and the November 20, 2014 memorandum entitled "Exercising Prosecutorial Discretion with Respect to Individuals Who Came to the United States as Children and With Respect to Certain Individuals Who Are the Parents of U.S. Citizens or Permanent Residents," (DACA and DAPA) all existing conflicting directives, memoranda, or field guidance regarding the enforcement of our immigration laws and priorities for removal are hereby immediately rescinded; including, but not limited to, the November 20, 2014, memoranda entitled "Policies for the Apprehension, Detention and Removal of Undocumented Immigrants," and "Secure Communities." As the referenced 2012 and 2014 DACA and DAPA memoranda remain in effect, along with applicable court orders, the DHS and CBP posture with respect to DACA and DAPA is not affected by issuance of the Secretary's memoranda of February 20, 2017.

Implementing the President's Border Security and Immigration Enforcement Improvements Policies including Enforcement of the Immigration Laws to Serve the National Interest

Page 2

B. Priorities For Removal

USBP will take enforcement action against all illegal aliens encountered in the course of their duties who illegally enter, attempt to enter, or who do not have lawful status to be, or remain in, the United States. This includes the referral for criminal prosecution of any alien as appropriate as well as the initiation of removal proceedings against any alien who is subject to removal under any provision of the Immigration and Nationality Act (INA).

Specifically, USBP shall prioritize for removal those aliens found inadmissible or arrested under sections 212(a)(2), (a)(3), and (a)(6)(C), 235(b) and (c), and 237(a)(2) and (4) of the INA, with emphasis on criminal aliens demonstrating disregard for the rule of law. USBP should take particular care to prioritize the removal of aliens who:

- (1) Have been convicted of any criminal offense;
- (2) Have been charged with any criminal offense that has not been resolved;
- (3) Have committed acts which constitute a chargeable criminal offense;
- (4) Have engaged in fraud or willful misrepresentation in connection with any official matter before a governmental agency;
- (5) Have abused any program related to receipt of public benefits;
- (6) Are subject to a final order of removal but have not complied with their legal obligation to depart the United States; or
- (7) In the judgment of an immigration officer, otherwise pose a risk to public safety or national security.

Aliens listed above do not necessarily have to be placed in removal proceedings based on a criminal ground of inadmissibility or removability. Instead, USBP should prioritize individuals within the above priorities for removal proceedings within the lawfully available removable grounds. Additionally, agents are reminded that individuals that are found to be present without admission (PWA), require coordination with U.S. Immigration and Customs Enforcement (ICE) for potential detention space. All arrests are an opportunity to gain valuable border security information and are eligible for removal proceedings within the lawfully available removable grounds.

The enforcement priorities should be implemented in accordance with the Border Patrol Consequence Delivery System in the following order of preference:

- (1) Expedited Removal (ER), if applicable
- (2) Notice to Appear
- (3) Voluntary Return

C. Implementing the Provisions of Section 235(b)(2)(C) of the INA to Return Aliens to Contiguous Countries

As set forth in INA 235(b)(2)(C), aliens arriving from Mexico or Canada that are processed via Notice to Appear may be returned to that country pending a hearing before an immigration judge. Given the need for further leadership coordination prior to implementation of this authority, USBP

Implementing the President's Border Security and Immigration Enforcement Improvements Policies including Enforcement of the Immigration Laws to Serve the National Interest

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will postpone full implementation of this specific section of the INA until such arrangements are in place, in coordination with the Governments of Mexico and Canada as may be appropriate, and upon the development and issuance of further USBP guidance.

D. Detention of Aliens in Border Patrol Custody

Consistent with the Secretary's memorandum "Implementing the President's Border Security and Immigration Enforcement Policies," and in close consultation with ICE's Enforcement and Removal Operations' (ERO) efforts to expand detention space, USBP should work to refer for detention all aliens placed in removal proceedings until such time as the alien is transferred to another federal, state or local entity. Aliens who have been placed in expedited removal, including family units, may not be released or paroled from USBP's custody except where:

1. The release is part of USBP's overall effort of removing or permitting the alien to depart from the United States.
2. USBP determines the individual is a U.S. citizen, LPR, returning refugee, or asylee.
3. USBP determines that the alien has received an order granting relief or protection from removal.
4. Where, in consultation with local Associate/Assistant Chief Counsel as may be appropriate, the release is determined to be required by statute, judicial order, or settlement.
5. Parole is approved by the Chief Patrol Agent on a case by case basis, with the written concurrence of the Deputy Director of ICE and the Deputy Commissioner of CBP.
6. Parole is necessary to address an emergent situation, such as a medical emergency, the Chief Patrol Agent may permit parole, with notice to the Deputy Commissioner of CBP as soon as practicable.

USBP personnel will utilize Forms I-247D and I-247N until the new forms are updated.

E. Parole/OR Authority Pursuant to Section 212(d)(5) and 236 of the INA

Despite USBPs exhaustive efforts to achieve the goal of apprehending and removing all individuals, it is understood that situations will emerge where field level commanders, in conjunction with sector staff, will render a decision in the interest of the government to release an alien who has been processed and placed in removal proceedings. Requests for parole or other release should be submitted sparingly, and only in individual cases where, after careful consideration of the circumstances, the release serves the best interests of the United States because of demonstrated urgent humanitarian reasons or significant public benefit. Parole or other release, with all available safeguards, may also be warranted in instances where detention capacity limits CBP's ability to detain the alien consistent with legal requirements, including court orders.

Moreover, release in those situations where an alien is provided an NTA must be closely scrutinized by sector staff to ensure that all options are explored prior to releasing the alien. Release from CBP custody on an alien's own recognizance (OR) may only occur where approved by the Chief Patrol Agent. Each time an alien is released OR, there must be clearly articulable circumstances to justify the release and those circumstances must be noted in the narrative section of the I-213. Prior to

releasing any alien OR, every alternative must be explored and clearly articulated in the narrative section of the I-213. If ICE/ERO does not authorize detention space, then the Chief Patrol Agent will coordinate with Headquarters Border Patrol to reach an appropriate resolution prior to releasing the alien.

All other processing requirements remain in place. This includes the requirement that any illegal alien apprehended and in USBP custody and subject to expedited removal who claims credible fear will be referred to an asylum officer for proper disposition. Agents will document credible fear claims in the narrative section of the I-213 and M-444.

F. Expanding Expedited Removal Pursuant to Section 235(b)(1)(A)(iii)(I) of the INA

The Secretary's memorandum contemplates the expansion of Expedited Removal on terms to be specified. This expansion may not be implemented until such time as a Federal Register notice is issued and further guidance is provided.

G. Proper Processing and Treatment of Unaccompanied Alien Minors Encountered at the Border

Agents will continue to follow the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (TVPPRA) and the *Flores* Settlement Agreement, including all implementing policies and procedures, to ensure that all children, including unaccompanied alien children, are provided special protections to ensure that they are properly processed and receive the appropriate care and placement when they are encountered by USBP. Agents must complete Form 93 for all unaccompanied alien children. Mexican and Canadian unaccompanied alien children may be permitted to withdraw their application for admission and return to Mexico or Canada after proper coordination with the Mexican or Canadian Consulate has been completed. Unaccompanied alien children who are permitted to withdraw may be repatriated at the nearest port of entry to Mexican/Canadian Consulate officials at a time designated by the consulate official.

Additional policies, directives, and memoranda are currently being reviewed for possible modification or rescission in order to align with administration goals and objectives.

Staff may direct further questions concerning the above to the Law Enforcement Operations Directorate, Specialty Programs Division or to the Strategic Planning and Analysis Directorate, Labor and Policy Division at (b)(7)(E)



Homeland Security

February 20, 2017

MEMORANDUM FOR:

Kevin McAleenan
Acting Commissioner
U.S. Customs and Border Protection

Thomas D. Homan
Acting Director
U.S. Immigration and Customs Enforcement

Lori Scialabba
Acting Director
U.S. Citizenship and Immigration Services

Joseph B. Maher
Acting General Counsel

Dimple Shah
Acting Assistant Secretary for International Affairs

Chip Fulghum
Acting Undersecretary for Management

FROM:

John Kelly
Secretary

A handwritten signature in black ink, appearing to read "John Kelly", written over the printed name and title.

SUBJECT:

**Implementing the President's Border Security and
Immigration Enforcement Improvements Policies**

This memorandum implements the Executive Order entitled "Border Security and Immigration Enforcement Improvements," issued by the President on January 25, 2017, which establishes the President's policy regarding effective border security and immigration enforcement through faithful execution of the laws of the United States. It implements new policies designed to stem illegal immigration and facilitate the detection, apprehension, detention, and removal of aliens who have no lawful basis to enter or remain in the United States. It constitutes guidance to all Department personnel, and supersedes all existing conflicting policy, directives, memoranda, and other guidance regarding this subject matter—to the extent of the conflict—except as otherwise expressly stated in this memorandum.

A. Policies Regarding the Apprehension and Detention of Aliens Described in Section 235 of the Immigration and Nationality Act.

The President has determined that the lawful detention of aliens arriving in the United States and deemed inadmissible or otherwise described in section 235(b) of the Immigration and Nationality Act (INA) pending a final determination of whether to order them removed, including determining eligibility for immigration relief, is the most efficient means by which to enforce the immigration laws at our borders. Detention also prevents such aliens from committing crimes while at large in the United States, ensures that aliens will appear for their removal proceedings, and substantially increases the likelihood that aliens lawfully ordered removed will be removed.

These policies are consistent with INA provisions that mandate detention of such aliens and allow me or my designee to exercise discretionary parole authority pursuant to section 212(d)(5) of the INA only on a case-by-case basis, and only for urgent humanitarian reasons or significant public benefit. Policies that facilitate the release of removable aliens apprehended at and between the ports of entry, which allow them to abscond and fail to appear at their removal hearings, undermine the border security mission. Such policies, collectively referred to as "catch-and-release," shall end.

Accordingly, effective upon my determination of (1) the establishment and deployment of a joint plan with the Department of Justice to surge the deployment of immigration judges and asylum officers to interview and adjudicate claims asserted by recent border entrants; and, (2) the establishment of appropriate processing and detention facilities, U.S. Customs and Border Protection (CBP) and U.S. Immigration and Customs Enforcement (ICE) personnel should only release from detention an alien detained pursuant to section 235(b) of the INA, who was apprehended or encountered after illegally entering or attempting to illegally enter the United States, in the following situations on a case-by-case basis, to the extent consistent with applicable statutes and regulations:

1. When removing the alien from the United States pursuant to statute or regulation;
2. When the alien obtains an order granting relief or protection from removal or the Department of Homeland Security (DHS) determines that the individual is a U.S. citizen, national of the United States, or an alien who is a lawful permanent resident, refugee, asylee, holds temporary protected status, or holds a valid immigration status in the United States;
3. When an ICE Field Office Director, ICE Special Agent-in-Charge, U.S. Border Patrol Sector Chief, CBP Director of Field Operations, or CBP Air & Marine Operations Director consents to the alien's withdrawal of an application for admission, and the alien contemporaneously departs from the United States;
4. When required to do so by statute, or to comply with a binding settlement agreement or order issued by a competent judicial or administrative authority;

5. When an ICE Field Office Director, ICE Special Agent-in-Charge, U.S. Border Patrol Sector Chief, CBP Director of Field Operations, or CBP Air & Marine Operations Director authorizes the alien's parole pursuant to section 212(d)(5) of the INA with the written concurrence of the Deputy Director of ICE or the Deputy Commissioner of CBP, except in exigent circumstances such as medical emergencies where seeking prior approval is not practicable. In those exceptional instances, any such parole will be reported to the Deputy Director or Deputy Commissioner as expeditiously as possible; or
6. When an arriving alien processed under the expedited removal provisions of section 235(b) has been found to have established a "credible fear" of persecution or torture by an asylum officer or an immigration judge, provided that such an alien affirmatively establishes to the satisfaction of an ICE immigration officer his or her identity, that he or she presents neither a security risk nor a risk of absconding, and provided that he or she agrees to comply with any additional conditions of release imposed by ICE to ensure public safety and appearance at any removal hearings.

To the extent current regulations are inconsistent with this guidance, components will develop or revise regulations as appropriate. Until such regulations are revised or removed, Department officials shall continue to operate according to regulations currently in place.

As the Department works to expand detention capabilities, detention of all such individuals may not be immediately possible, and detention resources should be prioritized based upon potential danger and risk of flight if an individual alien is not detained, and parole determinations will be made in accordance with current regulations and guidance. *See* 8 C.F.R. §§ 212.5, 235.3. This guidance does not prohibit the return of an alien who is arriving on land to the foreign territory contiguous to the United States from which the alien is arriving pending a removal proceeding under section 240 of the INA consistent with the direction of an ICE Field Office Director, ICE Special Agent-in-Charge, CBP Chief Patrol Agent, or CBP Director of Field Operations.

B. Hiring More CBP Agents/Officers

CBP has insufficient agents/officers to effectively detect, track, and apprehend all aliens illegally entering the United States. The United States needs additional agents and officers to ensure complete operational control of the border. Accordingly, the Commissioner of CBP shall—while ensuring consistency in training and standards—immediately begin the process of hiring 5,000 additional Border Patrol agents, as well as 500 Air & Marine Agents/Officers, subject to the availability of resources, and take all actions necessary to ensure that such agents/officers enter on duty and are assigned to appropriate duty stations, including providing for the attendant resources and additional personnel necessary to support such agents, as soon as practicable.

Human Capital leadership in CBP and ICE, in coordination with the Under Secretary for

Management, Chief Financial Officer, and Chief Human Capital Officer, shall develop hiring plans that balance growth and interagency attrition by integrating workforce shaping and career paths for incumbents and new hires.

C. Identifying and Quantifying Sources of Aid to Mexico

The President has directed the heads of all executive departments to identify and quantify all sources of direct and indirect Federal aid or assistance to the Government of Mexico. Accordingly, the Under Secretary for Management shall identify all sources of direct or indirect aid and assistance, excluding intelligence activities, from every departmental component to the Government of Mexico on an annual basis, for the last five fiscal years, and quantify such aid or assistance. The Under Secretary for Management shall submit a report to me reflecting historic levels of such aid or assistance provided annually within 30 days of the date of this memorandum.

D. Expansion of the 287(g) Program in the Border Region

Section 287(g) of the INA authorizes me to enter into a written agreement with a state or political subdivision thereof, for the purpose of authorizing qualified officers or employees of the state or subdivision to perform the functions of an immigration officer in relation to the investigation, apprehension, or detention of aliens in the United States. This grant of authority, known as the 287(g) Program, has been a highly successful force multiplier that authorizes state or local law enforcement personnel to perform all law enforcement functions specified in section 287(a) of the INA, including the authority to investigate, identify, apprehend, arrest, detain, transport and conduct searches of an alien for the purposes of enforcing the immigration laws. From January 2006 through September 2015, the 287(g) Program led to the identification of more than 402,000 removable aliens, primarily through encounters at local jails.

Empowering state and local law enforcement agencies to assist in the enforcement of federal immigration law is critical to an effective enforcement strategy. Aliens who engage in criminal conduct are priorities for arrest and removal and will often be encountered by state and local law enforcement officers during the course of their routine duties. It is in the interest of the Department to partner with those state and local jurisdictions through 287(g) agreements to assist in the arrest and removal of criminal aliens.

To maximize participation by state and local jurisdictions in the enforcement of federal immigration law near the southern border, I am directing the Director of ICE and the Commissioner of CBP to engage immediately with all willing and qualified law enforcement jurisdictions that meet all program requirements for the purpose of entering into agreements under 287(g) of the INA.

The Commissioner of CBP and the Director of ICE should consider the operational functions and capabilities of the jurisdictions willing to enter into 287(g) agreements and structure such agreements in a manner that employs the most effective enforcement model for that jurisdiction, including the jail enforcement model, task force officer model, or joint jail enforcement-task force officer model. In furtherance of my direction herein, the Commissioner of

CBP is authorized, in addition to the Director of ICE, to accept state services and take other actions as appropriate to carry out immigration enforcement pursuant to 287(g).

E. Commissioning a Comprehensive Study of Border Security

The Under Secretary for Management, in consultation with the Commissioner of CBP, Joint Task Force (Border), and Commandant of the Coast Guard, is directed to commission an immediate, comprehensive study of the security of the southern border (air, land and maritime) to identify vulnerabilities and provide recommendations to enhance border security. The study should include all aspects of the current border security environment, including the availability of federal and state resources to develop and implement an effective border security strategy that will achieve complete operational control of the border.

F. Border Wall Construction and Funding

A wall along the southern border is necessary to deter and prevent the illegal entry of aliens and is a critical component of the President's overall border security strategy. Congress has authorized the construction of physical barriers and roads at the border to prevent illegal immigration in several statutory provisions, including section 102 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, as amended, 8 U.S.C. § 1103 note.

Consistent with the President's Executive Order, the will of Congress and the need to secure the border in the national interest, CBP, in consultation with the appropriate executive departments and agencies, and nongovernmental entities having relevant expertise—and using materials originating in the United States to the maximum extent permitted by law—shall immediately begin planning, design, construction and maintenance of a wall, including the attendant lighting, technology (including sensors), as well as patrol and access roads, along the land border with Mexico in accordance with existing law, in the most appropriate locations and utilizing appropriate materials and technology to most effectively achieve operational control of the border.

The Under Secretary for Management, in consultation with the Commissioner of CBP shall immediately identify and allocate all sources of available funding for the planning, design, construction and maintenance of a wall, including the attendant lighting, technology (including sensors), as well as patrol and access roads, and develop requirements for total ownership cost of this project, including preparing Congressional budget requests for the current fiscal year (e.g., supplemental budget requests) and subsequent fiscal years.

G. Expanding Expedited Removal Pursuant to Section 235(b)(1)(A)(iii)(I) of the INA

It is in the national interest to detain and expeditiously remove from the United States aliens apprehended at the border, who have been ordered removed after consideration and denial of their claims for relief or protection. Pursuant to section 235(b)(1)(A)(i) of the INA, if an immigration officer determines that an arriving alien is inadmissible to the United States under

section 212(a)(6)(C) or section 212(a)(7) of the INA, the officer shall, consistent with all applicable laws, order the alien removed from the United States without further hearing or review, unless the alien is an unaccompanied alien child as defined in 6 U.S.C. § 279(g)(2), indicates an intention to apply for asylum or a fear of persecution or torture or a fear of return to his or her country, or claims to have a valid immigration status within the United States or to be a citizen or national of the United States.

Pursuant to section 235(b)(1)(A)(iii)(I) of the INA and other provisions of law, I have been granted the authority to apply, by designation in my sole and unreviewable discretion, the expedited removal provisions in section 235(b)(1)(A)(i) and (ii) of the INA to aliens who have not been admitted or paroled into the United States, who are inadmissible to the United States under section 212(a)(6)(C) or section 212(a)(7) of the INA, and who have not affirmatively shown, to the satisfaction of an immigration officer, that they have been continuously physically present in the United States for the two-year period immediately prior to the determination of their inadmissibility. To date, this authority has only been exercised to designate for application of expedited removal, aliens encountered within 100 air miles of the border and 14 days of entry, and aliens who arrived in the United States by sea other than at a port of entry.¹

The surge of illegal immigration at the southern border has overwhelmed federal agencies and resources and has created a significant national security vulnerability to the United States. Thousands of aliens apprehended at the border, placed in removal proceedings, and released from custody have absconded and failed to appear at their removal hearings. Immigration courts are experiencing a historic backlog of removal cases, primarily proceedings under section 240 of the INA for individuals who are not currently detained.

During October 2016 and November 2016, there were 46,184 and 47,215 apprehensions, respectively, between ports of entry on our southern border. In comparison, during October 2015 and November 2015 there were 32,724 and 32,838 apprehensions, respectively, between ports of entry on our southern border. This increase of 10,000–15,000 apprehensions per month has significantly strained DHS resources.

Furthermore, according to EOIR information provided to DHS, there are more than 534,000 cases currently pending on immigration court dockets nationwide—a record high. By contrast, according to some reports, there were nearly 168,000 cases pending at the end of fiscal year (FY) 2004 when section 235(b)(1)(A)(i) was last expanded.² This represents an increase of more than 200% in the number of cases pending completion. The average removal case for an alien who is not detained has been pending for more than two years before an immigration judge.³ In some immigration courts, aliens who are not detained will not have their cases heard by an

¹ Notice Designating Aliens Subject to Expedited Removal Under Section 235(b)(1)(a)(iii) of the Immigration and Nationality Act, 67 Fed. Reg. 68924 (Nov. 13, 2002); Designating Aliens For Expedited Removal, 69 Fed. Reg. 48877 (Aug. 11, 2004); Eliminating Exception to Expedited Removal Authority for Cuban Nationals Encountered in the United States or Arriving by Sea, 82 Fed. Reg. 4902 (Jan. 17, 2017).

² Syracuse University, *Transactional Records Access Clearinghouse (TRAC) Data Research*; available at http://trac.syr.edu/phptools/immigration/court_backlog/.

³ *Id.*

immigration judge for as long as five years. This unacceptable delay affords removable aliens with no plausible claim for relief to remain unlawfully in the United States for many years.

To ensure the prompt removal of aliens apprehended soon after crossing the border illegally, the Department will publish in the *Federal Register* a new Notice Designating Aliens Subject to Expedited Removal Under Section 235(b)(1)(a)(iii) of the Immigration and Nationality Act, which may, to the extent I determine is appropriate, depart from the limitations set forth in the designation currently in force. I direct the Commissioner of CBP and the Director of ICE to conform the use of expedited removal procedures to the designations made in this notice upon its publication.

H. Implementing the Provisions of Section 235(b)(2)(C) of the INA to Return Aliens to Contiguous Countries

Section 235(b)(2)(C) of the INA authorizes the Department to return aliens arriving on land from a foreign territory contiguous to the United States, to the territory from which they arrived, pending a formal removal proceeding under section 240 of the INA. When aliens so apprehended do not pose a risk of a subsequent illegal entry or attempted illegal entry, returning them to the foreign contiguous territory from which they arrived, pending the outcome of removal proceedings saves the Department's detention and adjudication resources for other priority aliens.

Accordingly, subject to the requirements of section 1232, Title 8, United States Code, related to unaccompanied alien children and to the extent otherwise consistent with the law and U.S. international treaty obligations, CBP and ICE personnel shall, to the extent appropriate and reasonably practicable, return aliens described in section 235(b)(2)(A) of the INA, who are placed in removal proceedings under section 240 of the INA—and who, consistent with the guidance of an ICE Field Office Director, CBP Chief Patrol Agent, or CBP Director of Field Operations, pose no risk of recidivism—to the territory of the foreign contiguous country from which they arrived pending such removal proceedings.

To facilitate the completion of removal proceedings for aliens so returned to the contiguous country, ICE Field Office Directors, ICE Special Agents-in-Charge, CBP Chief Patrol Agent, and CBP Directors of Field Operations shall make available facilities for such aliens to appear via video teleconference. The Director of ICE and the Commissioner of CBP shall consult with the Director of EOIR to establish a functional, interoperable video teleconference system to ensure maximum capability to conduct video teleconference removal hearings for those aliens so returned to the contiguous country.

I. Enhancing Asylum Referrals and Credible Fear Determinations Pursuant to Section 235(b)(1) of the INA

With certain exceptions, any alien who is physically present in the United States or who arrives in the United States (whether or not at a designated port of arrival and including an alien who is brought to the United States after having been interdicted in international or United States waters), irrespective of such alien's status, may apply for asylum. For those aliens who are subject

to expedited removal under section 235(b) of the INA, aliens who claim a fear of return must be referred to an asylum officer to determine whether they have established a credible fear of persecution or torture.⁴ To establish a credible fear of persecution, an alien must demonstrate that there is a "significant possibility" that the alien could establish eligibility for asylum, taking into account the credibility of the statements made by the alien in support of the claim and such other facts as are known to the officer.⁵

The Director of USCIS shall ensure that asylum officers conduct credible fear interviews in a manner that allows the interviewing officer to elicit all relevant information from the alien as is necessary to make a legally sufficient determination. In determining whether the alien has demonstrated a significant possibility that the alien could establish eligibility for asylum, or for withholding or deferral of removal under the Convention Against Torture, the asylum officer shall consider the statements of the alien and determine the credibility of the alien's statements made in support of his or her claim and shall consider other facts known to the officer, as required by statute.⁶

The asylum officer shall make a positive credible fear finding only after the officer has considered all relevant evidence and determined, based on credible evidence, that the alien has a significant possibility of establishing eligibility for asylum, or for withholding or deferral of removal under the Convention Against Torture, based on established legal authority.⁷

The Director of USCIS shall also increase the operational capacity of the Fraud Detection and National Security (FDNS) Directorate and continue to strengthen the integration of its operations to support the Field Operations, Refugee, Asylum, and International Operations, and Service Center Operations Directorate, to detect and prevent fraud in the asylum and benefits adjudication processes, and in consultation with the USCIS Office of Policy and Strategy as operationally appropriate.

The Director of USCIS, the Commissioner of CBP, and the Director of ICE shall review fraud detection, deterrence, and prevention measures throughout their respective agencies and provide me with a consolidated report within 90 days of the date of this memorandum regarding fraud vulnerabilities in the asylum and benefits adjudication processes, and propose measures to enhance fraud detection, deterrence, and prevention in these processes.

J. Allocation of Resources and Personnel to the Southern Border for Detention of Aliens and Adjudication of Claims

The detention of aliens apprehended at the border is critical to the effective enforcement of the immigration laws. Aliens who are released from custody pending a determination of their removability are highly likely to abscond and fail to attend their removal hearings. Moreover, the screening of credible fear claims by USCIS and adjudication of asylum claims by EOIR at

⁴ See INA § 235(b)(1)(A)-(B); 8 C.F.R. §§ 235.3, 208.30.

⁵ See INA § 235(b)(1)(B)(v).

⁶ See *id.*

⁷ *Id.*

detention facilities located at or near the point of apprehension will facilitate an expedited resolution of those claims and result in lower detention and transportation costs.

Accordingly, the Director of ICE and the Commissioner of CBP should take all necessary action and allocate all available resources to expand their detention capabilities and capacities at or near the border with Mexico to the greatest extent practicable. CBP shall focus these actions on expansion of "short-term detention" (defined as 72 hours or less under 6 U.S.C. § 211(m)) capability, and ICE will focus these actions on expansion of all other detention capabilities. CBP and ICE should also explore options for joint temporary structures that meet appropriate standards for detention given the length of stay in those facilities.

In addition, to the greatest extent practicable, the Director of USCIS is directed to increase the number of asylum officers and FDNS officers assigned to detention facilities located at or near the border with Mexico to properly and efficiently adjudicate credible fear and reasonable fear claims and to counter asylum-related fraud.

K. Proper Use of Parole Authority Pursuant to Section 212(d)(5) of the INA

The authority to parole aliens into the United States is set forth in section 212(d)(5) of the INA, which provides that the Secretary may, in his discretion and on a case-by-case basis, temporarily parole into the United States any alien who is an applicant for admission for urgent humanitarian reasons or significant public benefit. The statutory language authorizes parole in individual cases only where, after careful consideration of the circumstances, it is necessary because of demonstrated urgent humanitarian reasons or significant public benefit. In my judgment, such authority should be exercised sparingly.

The practice of granting parole to certain aliens in pre-designated categories in order to create immigration programs not established by Congress, has contributed to a border security crisis, undermined the integrity of the immigration laws and the parole process, and created an incentive for additional illegal immigration.

Therefore, the Director of USCIS, the Commissioner of CBP, and the Director of ICE shall ensure that, pending the issuance of final regulations clarifying the appropriate use of the parole power, appropriate written policy guidance and training is provided to employees within those agencies exercising parole authority, including advance parole, so that such employees are familiar with the proper exercise of parole under section 212(d)(5) of the INA and exercise such parole authority only on a case-by-case basis, consistent with the law and written policy guidance.

Notwithstanding any other provision of this memorandum, pending my further review and evaluation of the impact of operational changes to implement the Executive Order, and additional guidance on the issue by the Director of ICE, the ICE policy directive establishing standards and procedures for the parole of certain arriving aliens found to have a credible fear of persecution or

torture shall remain in full force and effect.⁸ The ICE policy directive shall be implemented in a manner consistent with its plain language. In every case, the burden to establish that his or her release would neither pose a danger to the community, nor a risk of flight remains on the individual alien, and ICE retains ultimate discretion whether it grants parole in a particular case.

L. Proper Processing and Treatment of Unaccompanied Alien Minors Encountered at the Border

In accordance with section 235 of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (codified in part at 8 U.S.C. § 1232) and section 462 of the Homeland Security Act of 2002 (6 U.S.C. § 279), unaccompanied alien children are provided special protections to ensure that they are properly processed and receive the appropriate care and placement when they are encountered by an immigration officer. An unaccompanied alien child, as defined in section 279(g)(2), Title 6, United States Code, is an alien who has no lawful immigration status in the United States, has not attained 18 years of age; and with respect to whom, (1) there is no parent or legal guardian in the United States, or (2) no parent of legal guardian in the United States is available to provide care and physical custody.

Approximately 155,000 unaccompanied alien children have been apprehended at the southern border in the last three years. Most of these minors are from El Salvador, Honduras, and Guatemala, many of whom travel overland to the southern border with the assistance of a smuggler who is paid several thousand dollars by one or both parents, who reside illegally in the United States.

With limited exceptions, upon apprehension, CBP or ICE must promptly determine if a child meets the definition of an “unaccompanied alien child” and, if so, the child must be transferred to the custody of the Office of Refugee Resettlement within the Department of Health and Human Services (HHS) within 72 hours, absent exceptional circumstances.⁹ The determination that the child is an “unaccompanied alien child” entitles the child to special protections, including placement in a suitable care facility, access to social services, removal proceedings before an immigration judge under section 240 of the INA, rather than expedited removal proceedings under section 235(b) of the INA, and initial adjudication of any asylum claim by USCIS.¹⁰

Approximately 60% of minors initially determined to be “unaccompanied alien children” are placed in the care of one or more parents illegally residing in the United States. However, by Department policy and practice, such minors maintained their status as “unaccompanied alien children,” notwithstanding that they may no longer meet the statutory definition once they have been placed by HHS in the custody of a parent in the United States who can care for the minor. Exploitation of that policy led to abuses by many of the parents and legal guardians of those minors and has contributed to significant administrative delays in adjudications by immigration

⁸ ICE Policy No. 11002.1: Parole of Arriving Aliens Found to Have a Credible Fear of Persecution or Torture (Dec. 8, 2009).

⁹ See 8 U.S.C. § 1232(b)(3).

¹⁰ See generally 8 U.S.C. § 1232; INA § 208(b)(3)(C).

courts and USCIS.

To ensure identification of abuses and the processing of unaccompanied alien children consistent with the statutory framework and any applicable court order, the Director of USCIS, the Commissioner of CBP, and the Director of ICE are directed to develop uniform written guidance and training for all employees and contractors of those agencies regarding the proper processing of unaccompanied alien children, the timely and fair adjudication of their claims for relief from removal, and, if appropriate, their safe repatriation at the conclusion of removal proceedings. In developing such guidance and training, they shall establish standardized review procedures to confirm that alien children who are initially determined to be “unaccompanied alien child[ren],” as defined in section 279(g)(2), Title 6, United States Code, continue to fall within the statutory definition when being considered for the legal protections afforded to such children as they go through the removal process.

M. Accountability Measures to Protect Alien Children from Exploitation and Prevent Abuses of Our Immigration Laws

Although the Department’s personnel must process unaccompanied alien children pursuant to the requirements described above, we have an obligation to ensure that those who conspire to violate our immigration laws do not do so with impunity—particularly in light of the unique vulnerabilities of alien children who are smuggled or trafficked into the United States.

The parents and family members of these children, who are often illegally present in the United States, often pay smugglers several thousand dollars to bring their children into this country. Tragically, many of these children fall victim to robbery, extortion, kidnapping, sexual assault, and other crimes of violence by the smugglers and other criminal elements along the dangerous journey through Mexico to the United States. Regardless of the desires for family reunification, or conditions in other countries, the smuggling or trafficking of alien children is intolerable.

Accordingly, the Director of ICE and the Commissioner of CBP shall ensure the proper enforcement of our immigration laws against any individual who—directly or indirectly—facilitates the illegal smuggling or trafficking of an alien child into the United States. In appropriate cases, taking into account the risk of harm to the child from the specific smuggling or trafficking activity that the individual facilitated and other factors relevant to the individual’s culpability and the child’s welfare, proper enforcement includes (but is not limited to) placing any such individual who is a removable alien into removal proceedings, or referring the individual for criminal prosecution.

N. Prioritizing Criminal Prosecutions for Immigration Offenses Committed at the Border

The surge of illegal immigration at the southern border has produced a significant increase in organized criminal activity in the border region. Mexican drug cartels, Central American gangs, and other violent transnational criminal organizations have established sophisticated criminal

enterprises on both sides of the border. The large-scale movement of Central Americans, Mexicans, and other foreign nationals into the border area has significantly strained federal agencies and resources dedicated to border security. These criminal organizations have monopolized the human trafficking, human smuggling, and drug trafficking trades in the border region.

It is in the national interest of the United States to prevent criminals and criminal organizations from destabilizing border security through the proliferation of illicit transactions and violence perpetrated by criminal organizations.

To counter this substantial and ongoing threat to the security of the southern border—including threats to our maritime border and the approaches—the Directors of the Joint Task Forces-West, -East, and -Investigations, as well as the ICE-led Border Enforcement Security Task Forces (BESTs), are directed to plan and implement enhanced counternetwork operations directed at disrupting transnational criminal organizations, focused on those involved in human smuggling. The Department will support this work through the Office of Intelligence and Analysis, CBP's National Targeting Center, and the DHS Human Smuggling Cell.

In addition, the task forces should include participants from other federal, state, and local agencies, and should target individuals and organizations whose criminal conduct undermines border security or the integrity of the immigration system, including offenses related to alien smuggling or trafficking, drug trafficking, illegal entry and reentry, visa fraud, identity theft, unlawful possession or use of official documents, and acts of violence committed against persons or property at or near the border.

In order to support the efforts of the BESTs and counter network operations of the Joint Task Forces, the Director of ICE shall increase the number of special agents and analysts in the Northern Triangle ICE Attaché Offices and increase the number of vetted Transnational Criminal Investigative Unit international partners. This expansion of ICE's international footprint will focus both domestic and international efforts to dismantle transnational criminal organizations that are facilitating and profiting from the smuggling routes to the United States.

O. Public Reporting of Border Apprehensions Data

The Department has an obligation to perform its mission in a transparent and forthright manner. The public is entitled to know, with a reasonable degree of detail, information pertaining to the aliens unlawfully entering at our borders.

Therefore, consistent with law, in an effort to promote transparency and renew confidence in the Department's border security mission, the Commissioner of CBP and the Director of ICE shall develop a standardized method for public reporting of statistical data regarding aliens apprehended at or near the border for violating the immigration law. The reporting method shall include uniform terminology and shall utilize a format that is easily understandable by the public in a medium that can be readily accessed.

At a minimum, in addition to statistical information currently being publicly reported regarding apprehended aliens, the following information must be included: the number of convicted criminals and the nature of their offenses; the prevalence of gang members and prior immigration violators; the custody status of aliens and, if released, the reason for release and location of that release; and the number of aliens ordered removed and those aliens physically removed.

P. No Private Right of Action

This document provides only internal DHS policy guidance, which may be modified, rescinded, or superseded at any time without notice. This guidance is not intended to, does not, and may not be relied upon to create any right or benefit, substantive or procedural, enforceable at law by any party in any administrative, civil, or criminal matter. Likewise, no limitations are placed by this guidance on the otherwise lawful enforcement or litigation prerogatives of DHS.

In implementing this guidance, I direct DHS Components to consult with legal counsel to ensure compliance with all applicable laws, including the Administrative Procedure Act.



Homeland Security

February 20, 2017

MEMORANDUM FOR:

Kevin McAleenan
Acting Commissioner
U.S. Customs and Border Protection

Thomas D. Homan
Acting Director
U.S. Immigration and Customs Enforcement

Lori Scialabba
Acting Director
U.S. Citizenship and Immigration Services

Joseph B. Maher
Acting General Counsel

Dimple Shah
Acting Assistant Secretary for International Affairs

Chip Fulghum
Acting Undersecretary for Management

FROM:

John Kelly
Secretary

A handwritten signature in black ink, appearing to read "John Kelly", written over the printed name and title.

SUBJECT:

Enforcement of the Immigration Laws to Serve the National Interest

This memorandum implements the Executive Order entitled "Enhancing Public Safety in the Interior of the United States," issued by the President on January 25, 2017. It constitutes guidance for all Department personnel regarding the enforcement of the immigration laws of the United States, and is applicable to the activities of U.S. Immigration and Customs Enforcement (ICE), U.S. Customs and Border Protection (CBP), and U.S. Citizenship and Immigration Services (USCIS). As such, it should inform enforcement and removal activities, detention decisions, administrative litigation, budget requests and execution, and strategic planning.

With the exception of the June 15, 2012, memorandum entitled “Exercising Prosecutorial Discretion with Respect to Individuals Who Came to the United States as Children,” and the November 20, 2014 memorandum entitled “Exercising Prosecutorial Discretion with Respect to Individuals Who Came to the United States as Children and with Respect to Certain Individuals Who Are the Parents of U.S. Citizens or Permanent Residents,”¹ all existing conflicting directives, memoranda, or field guidance regarding the enforcement of our immigration laws and priorities for removal are hereby immediately rescinded—to the extent of the conflict—including, but not limited to, the November 20, 2014, memoranda entitled “Policies for the Apprehension, Detention and Removal of Undocumented Immigrants,” and “Secure Communities.”

A. The Department’s Enforcement Priorities

Congress has defined the Department’s role and responsibilities regarding the enforcement of the immigration laws of the United States. Effective immediately, and consistent with Article II, Section 3 of the United States Constitution and Section 3331 of Title 5, United States Code, Department personnel shall faithfully execute the immigration laws of the United States against all removable aliens.

Except as specifically noted above, the Department no longer will exempt classes or categories of removable aliens from potential enforcement. In faithfully executing the immigration laws, Department personnel should take enforcement actions in accordance with applicable law. In order to achieve this goal, as noted below, I have directed ICE to hire 10,000 officers and agents expeditiously, subject to available resources, and to take enforcement actions consistent with available resources. However, in order to maximize the benefit to public safety, to stem unlawful migration and to prevent fraud and misrepresentation, Department personnel should prioritize for removal those aliens described by Congress in Sections 212(a)(2), (a)(3), and (a)(6)(C), 235(b) and (c), and 237(a)(2) and (4) of the Immigration and Nationality Act (INA).

Additionally, regardless of the basis of removability, Department personnel should prioritize removable aliens who: (1) have been convicted of any criminal offense; (2) have been charged with any criminal offense that has not been resolved; (3) have committed acts which constitute a chargeable criminal offense; (4) have engaged in fraud or willful misrepresentation in connection with any official matter before a governmental agency; (5) have abused any program related to receipt of public benefits; (6) are subject to a final order of removal but have not complied with their legal obligation to depart the United States; or (7) in the judgment of an immigration officer, otherwise pose a risk to public safety or national security. The Director of ICE, the Commissioner of CBP, and the Director of USCIS may, as they determine is appropriate, issue further guidance to allocate appropriate resources to prioritize enforcement activities within these categories—for example, by prioritizing enforcement activities against removable aliens who are convicted felons or who are involved in gang activity or drug trafficking.

¹ The November 20, 2014, memorandum will be addressed in future guidance.

B. Strengthening Programs to Facilitate the Efficient and Faithful Execution of the Immigration Laws of the United States

Facilitating the efficient and faithful execution of the immigration laws of the United States—and prioritizing the Department’s resources—requires the use of all available systems and enforcement tools by Department personnel.

Through passage of the immigration laws, Congress established a comprehensive statutory regime to remove aliens expeditiously from the United States in accordance with all applicable due process of law. I determine that the faithful execution of our immigration laws is best achieved by using all these statutory authorities to the greatest extent practicable. Accordingly, Department personnel shall make full use of these authorities.

Criminal aliens have demonstrated their disregard for the rule of law and pose a threat to persons residing in the United States. As such, criminal aliens are a priority for removal. The Priority Enforcement Program failed to achieve its stated objectives, added an unnecessary layer of uncertainty for the Department’s personnel, and hampered the Department’s enforcement of the immigration laws in the interior of the United States. Effective immediately, the Priority Enforcement Program is terminated and the Secure Communities Program shall be restored. To protect our communities and better facilitate the identification, detention, and removal of criminal aliens within constitutional and statutory parameters, the Department shall eliminate the existing Forms I-247D, I-247N, and I-247X, and replace them with a new form to more effectively communicate with recipient law enforcement agencies. However, until such forms are updated they may be used as an interim measure to ensure that detainers may still be issued, as appropriate.

ICE’s Criminal Alien Program is an effective tool to facilitate the removal of criminal aliens from the United States, while also protecting our communities and conserving the Department’s detention resources. Accordingly, ICE should devote available resources to expanding the use of the Criminal Alien Program in any willing jurisdiction in the United States. To the maximum extent possible, in coordination with the Executive Office for Immigration Review (EOIR), removal proceedings shall be initiated against aliens incarcerated in federal, state, and local correctional facilities under the Institutional Hearing and Removal Program pursuant to section 238(a) of the INA, and administrative removal processes, such as those under section 238(b) of the INA, shall be used in all eligible cases.

The INA § 287(g) Program has been a highly successful force multiplier that allows a qualified state or local law enforcement officer to be designated as an “immigration officer” for purposes of enforcing federal immigration law. Such officers have the authority to perform all law enforcement functions specified in section 287(a) of the INA, including the authority to investigate, identify, apprehend, arrest, detain, and conduct searches authorized under the INA, under the direction and supervision of the Department.

There are currently 32 law enforcement agencies in 16 states participating in the 287(g)

Program. In previous years, there were significantly more law enforcement agencies participating in the 287(g) Program. To the greatest extent practicable, the Director of ICE and Commissioner of CBP shall expand the 287(g) Program to include all qualified law enforcement agencies that request to participate and meet all program requirements. In furtherance of this direction and the guidance memorandum, "Implementing the President's Border Security and Immigration Enforcement Improvements Policies" (Feb. 20, 2017), the Commissioner of CBP is authorized, in addition to the Director of ICE, to accept State services and take other actions as appropriate to carry out immigration enforcement pursuant to section 287(g) of the INA.

C. Exercise of Prosecutorial Discretion

Unless otherwise directed, Department personnel may initiate enforcement actions against removable aliens encountered during the performance of their official duties and should act consistently with the President's enforcement priorities identified in his Executive Order and any further guidance issued pursuant to this memorandum. Department personnel have full authority to arrest or apprehend an alien whom an immigration officer has probable cause to believe is in violation of the immigration laws. They also have full authority to initiate removal proceedings against any alien who is subject to removal under any provision of the INA, and to refer appropriate cases for criminal prosecution. The Department shall prioritize aliens described in the Department's Enforcement Priorities (Section A) for arrest and removal. This is not intended to remove the individual, case-by-case decisions of immigration officers.

The exercise of prosecutorial discretion with regard to any alien who is subject to arrest, criminal prosecution, or removal in accordance with law shall be made on a case-by-case basis in consultation with the head of the field office component, where appropriate, of CBP, ICE, or USCIS that initiated or will initiate the enforcement action, regardless of which entity actually files any applicable charging documents: CBP Chief Patrol Agent, CBP Director of Field Operations, ICE Field Office Director, ICE Special Agent-in-Charge, or the USCIS Field Office Director, Asylum Office Director or Service Center Director.

Except as specifically provided in this memorandum, prosecutorial discretion shall not be exercised in a manner that exempts or excludes a specified class or category of aliens from enforcement of the immigration laws. The General Counsel shall issue guidance consistent with these principles to all attorneys involved in immigration proceedings.

D. Establishing the Victims of Immigration Crime Engagement (VOICE) Office

Criminal aliens routinely victimize Americans and other legal residents. Often, these victims are not provided adequate information about the offender, the offender's immigration status, or any enforcement action taken by ICE against the offender. Efforts by ICE to engage these victims have been hampered by prior Department of Homeland Security (DHS) policy extending certain Privacy Act protections to persons other than U.S. citizens and lawful permanent residents, leaving victims feeling marginalized and without a voice. Accordingly, I am establishing the Victims of Immigration Crime Engagement (VOICE) Office within the Office of

the Director of ICE, which will create a programmatic liaison between ICE and the known victims of crimes committed by removable aliens. The liaison will facilitate engagement with the victims and their families to ensure, to the extent permitted by law, that they are provided information about the offender, including the offender's immigration status and custody status, and that their questions and concerns regarding immigration enforcement efforts are addressed.

To that end, I direct the Director of ICE to immediately reallocate any and all resources that are currently used to advocate on behalf of illegal aliens (except as necessary to comply with a judicial order) to the new VOICE Office, and to immediately terminate the provision of such outreach or advocacy services to illegal aliens.

Nothing herein may be construed to authorize disclosures that are prohibited by law or may relate to information that is Classified, Sensitive but Unclassified (SBU), Law Enforcement Sensitive (LES), For Official Use Only (FOUO), or similarly designated information that may relate to national security, law enforcement, or intelligence programs or operations, or disclosures that are reasonably likely to cause harm to any person.

E. Hiring Additional ICE Officers and Agents

To enforce the immigration laws effectively in the interior of the United States in accordance with the President's directives, additional ICE agents and officers are necessary. The Director of ICE shall—while ensuring consistency in training and standards—take all appropriate action to expeditiously hire 10,000 agents and officers, as well as additional operational and mission support and legal staff necessary to hire and support their activities. Human Capital leadership in CBP and ICE, in coordination with the Under Secretary for Management and the Chief Human Capital Officer, shall develop hiring plans that balance growth and interagency attrition by integrating workforce shaping and career paths for incumbents and new hires.

F. Establishment of Programs to Collect Authorized Civil Fines and Penalties

As soon as practicable, the Director of ICE, the Commissioner of CBP, and the Director of USCIS shall issue guidance and promulgate regulations, where required by law, to ensure the assessment and collection of all fines and penalties which the Department is authorized under the law to assess and collect from aliens and from those who facilitate their unlawful presence in the United States.

G. Aligning the Department's Privacy Policies With the Law

The Department will no longer afford Privacy Act rights and protections to persons who are neither U.S. citizens nor lawful permanent residents. The DHS Privacy Office will rescind the DHS *Privacy Policy Guidance memorandum*, dated January 7, 2009, which implemented the DHS "mixed systems" policy of administratively treating all personal information contained in DHS record systems as being subject to the Privacy Act regardless of the subject's immigration status. The DHS Privacy Office, with the assistance of the Office of the General Counsel, will

develop new guidance specifying the appropriate treatment of personal information DHS maintains in its record systems.

H. Collecting and Reporting Data on Alien Apprehensions and Releases

The collection of data regarding aliens apprehended by ICE and the disposition of their cases will assist in the development of agency performance metrics and provide transparency in the immigration enforcement mission. Accordingly, to the extent permitted by law, the Director of ICE shall develop a standardized method of reporting statistical data regarding aliens apprehended by ICE and, at the earliest practicable time, provide monthly reports of such data to the public without charge.

The reporting method shall include uniform terminology and shall utilize a format that is easily understandable by the public and a medium that can be readily accessed. At a minimum, in addition to statistical information currently being publicly reported regarding apprehended aliens, the following categories of information must be included: country of citizenship, convicted criminals and the nature of their offenses, gang members, prior immigration violators, custody status of aliens and, if released, the reason for release and location of their release, aliens ordered removed, and aliens physically removed or returned.

The ICE Director shall also develop and provide a weekly report to the public, utilizing a medium that can be readily accessed without charge, of non-Federal jurisdictions that release aliens from their custody, notwithstanding that such aliens are subject to a detainer or similar request for custody issued by ICE to that jurisdiction. In addition to other relevant information, to the extent that such information is readily available, the report shall reflect the name of the jurisdiction, the citizenship and immigration status of the alien, the arrest, charge, or conviction for which each alien was in the custody of that jurisdiction, the date on which the ICE detainer or similar request for custody was served on the jurisdiction by ICE, the date of the alien's release from the custody of that jurisdiction and the reason for the release, an explanation concerning why the detainer or similar request for custody was not honored, and all arrests, charges, or convictions occurring after the alien's release from the custody of that jurisdiction.

I. No Private Right of Action

This document provides only internal DHS policy guidance, which may be modified, rescinded, or superseded at any time without notice. This guidance is not intended to, does not, and may not be relied upon to create any right or benefit, substantive or procedural, enforceable at law by any party in any administrative, civil, or criminal matter. Likewise, no limitations are placed by this guidance on the otherwise lawful enforcement or litigation prerogatives of DHS.

In implementing these policies, I direct DHS Components to consult with legal counsel to ensure compliance with all applicable laws, including the Administrative Procedure Act.

From: (b)(6), (b)(7)(C)
Sent: Friday, February 24, 2017 6:37 PM
To: UVA-MANAGERS
Subject: FW: Executive Orders 13767 and 13768 and the Secretary's Implementation Directions of February 20, 2017
Attachments: Final (02-20-2017) Implementing-the-Presidents-Border-Security-Immigration-Enforcement-Improvement-Policies.pdf; USBP DHS Training (02-21-2017).pptx; B1 Memoranda - Executive Orders 13767 and 13768 and the Secretary's Implementation Directions of February 20, 2017.pdf; Final (02-20-2017) Enforcement-of-the-Immigration-Laws-to-Serve-the-National-Interest.pdf; 17-0641 - Executive Order 13767 and 13768 and Secretary's Implementation Directions 02222017.pdf

With attachments

(b)(6), (b)(7)(C)
Watch Commander
USBP/Uvalde Station
Cell (b)(6), (b)(7)(C)

From: (b)(6), (b)(7)(C)
Sent: Friday, February 24, 2017 4:19:03 PM
To: DRT-PAICS; DRT-DPAICS; (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C)
Subject: Executive Orders 13767 and 13768 and the Secretary's Implementation Directions of February 20, 2017

The attached memorandum outlines Executive Orders 13767 and 13768 and the Secretary's Implementation Directions of February 20, 2017. Effective immediately, U. S. Border Patrol (USBP) will implement this direction from the Secretary, with guidance outlined in the attached documentation.

All uniformed personnel should be trained and familiar with the new policies and guidance. A memorandum indicating your respective station is in compliance should be forwarded to Executive Officer (b)(6), (b)(7)(C) by close-of-business Monday, March 6, 2017.

Any questions regarding these Executive Orders should be addressed to your respective Division Chief or the Del Rio Prosecutions Office.

Thank you,

(b)(6), (b)(7)(C)
Mission Support Specialist

Mission Readiness Operations
Del Rio Sector

(b)(6), (b)(7)(C)

From: (b)(6), (b)(7)(C)
Sent: Monday, February 27, 2017 11:33 AM
To: (b)(6), (b)(7)(C)
Subject: FW: Executive Orders 13767 and 13768 and the Secretary's Implementation Directions of February 20, 2017
Attachments: Final (02-20-2017) Enforcement-of-the-Immigration-Laws-to-Serve-the-National-Interest.pdf; Final (02-20-2017) Implementing-the-Presidents-Border-Security-Immigration-Enforcement-Improvement-Policies.pdf; USBP DHS Training (02-21-2017).pptx; B1 Memoranda - Executive Orders 13767 and 13768 and the Secretary's Implementation Directions of February 20, 2017.pdf
Importance: High

Good morning! Just making sure you received the attached.

(b)(6), (b)(7)(C)

Watch Commander
U.S. Border Patrol
Uvalde Station

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) cell

From: (b)(6), (b)(7)(C)
Sent: Wednesday, February 22, 2017 8:52 AM
To: UVA-MANAGERS (b)(7)(E)
Subject: FW: Executive Orders 13767 and 13768 and the Secretary's Implementation Directions of February 20, 2017
Importance: High

All

Please begin to message this out. I need to send a number of those trained by the 27th so please give me a count, by unit, no later than the morning of the 27th.

Thanks

(b)(6), (b)(7)(C)

(A) Patrol Agent in Charge
Uvalde Station

(b)(6), (b)(7)(C) Office

(b)(6), (b)(7)(C) Cell

From: (b)(6), (b)(7)(C)
Sent: Wednesday, February 22, 2017 8:39 AM
To: DRT-PAICS (b)(7)(E) DRT-DPAICS (b)(6), (b)(7)(C)
Cc: DRT OPS DIV (b)(6), (b)(7)(C)
Subject: FW: Executive Orders 13767 and 13768 and the Secretary's Implementation Directions of February 20, 2017
Importance: High

There is a very aggressive timeline for getting everyone trained up. Please submit a compliance memo addressed to Chief (b)(6), (b)(7)(C) by COB: Monday, March 6th

Additionally – we need the total number trained by COB: Tuesday, February 27th (to report to OBP)

Should see this out with a cover from Chief (b)(6), (b)(7)(C) later today.

From: (b)(6), (b)(7)(C)

Sent: Tuesday, February 21, 2017 1:10 PM

To: DRT-PAICS (b)(7)(E) DRT-DPAICS (b)(7)(E)

Cc: DRT OPS DIV (b)(7)(E)

Subject: FW: Executive Orders 13767 and 13768 and the Secretary's Implementation Directions of February 20, 2017

Importance: High

You will see this again with a Sector cover on it, just giving you as much visibility and lead time as we have.....

From: (b)(6), (b)(7)(C)

Sent: Tuesday, February 21, 2017 12:42 PM

To: BP Field Chiefs (b)(7)(E) BP Field Deputies (b)(7)(E)

Cc: VITIELLO, RONALD D (USBP) (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

PROVOST, CARLA (USBP)

(b)(6), (b)(7)(C)

Subject: Executive Orders 13767 and 13768 and the Secretary's Implementation Directions of February 20, 2017

Importance: High

Chief Patrol Agents must immediately acknowledge receipt of this email and the attached documents.

Chiefs,

Attached you will find four documents;

1. Secretary Kelly's Memorandum entitled *Implementing the President's Border Security and Immigration Enforcement Improvement Policies*
2. Secretary Kelly's Memorandum entitled *Enforcement of the Immigration Laws to Serve the National Interest*
3. Chief Vitiello's Memorandum entitled *Executive Orders 13767 and 13768 and the Secretary's Implementation Directions of February 20, 2017*
4. Department of Homeland Security PowerPoint entitled *Implementing the President's Border Security and Immigration Enforcement Improvement Policies and Enforcement of the Immigration Laws to Serve the National Interest*

It is imperative that the details contained in the memoranda and PowerPoint be disseminated and thoroughly briefed, either in person or by other means and that the contents of the attachments are understood by all Border Patrol agents.

In order to ensure that all agents have received the information attached, send a memorandum of compliance to Border Patrol Headquarters no later than close of business March 7, 2017. The intent is to meet 100% compliance, however, it is understood that there may be exigent circumstances in which 100% compliance cannot be attained. This should be articulated on a case-by-case basis. Please report your completion status through your respective corridors.

(b)(6), (b)(7)(C)

Acting Chief of Staff

United States Border Patrol

Office: (b)(6), (b)(7)(C) | Mobile: (b)(6), (b)(7)(C)

From: (b)(6), (b)(7)(C)
Sent: Tuesday, March 7, 2017 4:12 PM
To: DRT STAFF TASKING
Cc: OPS EAST SECTOR
Subject: FW: Executive Orders 13767 and 13768 and the Secretary's Implementation Directions of February 20, 2017
Attachments: Final (02-20-2017) Enforcement-of-the-Immigration-Laws-to-Serve-the-National-Interest.pdf; Final (02-20-2017) Implementing-the-Presidents-Border-Security-Immigration-Enforcement-Improvement-Policies.pdf; USBP DHS Training (02-21-2017).pptx; B1 Memoranda - Executive Orders 13767 and 13768 and the Secretary's Implementation Directions of February 20, 2017.pdf
Importance: High

Good afternoon,

Courtesy reminder for the final response memo. If you already submitted and I missed it, please resend.

Thank you,

(b)(6), (b)(7)(C)
Assistant Chief
Operations-East Division
Law Enforcement Operations Directorate
US Border Patrol Headquarters
Mobile: (b)(6), (b)(7)(C)

From: (b)(6), (b)(7)(C)
Sent: Tuesday, March 07, 2017 8:45:18 PM
To: OPS EAST SECTOR; OPS WEST SECTORS
Cc: USBP LEOD Associate Chiefs; USBP HQ Adjutants; (b)(6), (b)(7)(C)
Subject: FW: Executive Orders 13767 and 13768 and the Secretary's Implementation Directions of February 20, 2017

Good afternoon.

I am still lacking final responses from the below sectors. Suspense date is today COB.

NLL
DRT
TCA
EPT
DTM
SPW
BLW

YUM
RGV
SDC
HQ-MROD
HQ-SPAD

Thanks

(b)(6), (b)(7)(C)

Assistant Chief
Adjutant to Scott Luck
Chief-Law Enforcement Operations
U.S. Border Patrol Headquarters

(O) (b)(6), (b)(7)(C)
(C)

(b)(6), (b)(7)(C)

From: (b)(6), (b)(7)(C)

Sent: Tuesday, February 28, 2017 11:32 AM

To: (b)(6), (b)(7)(C)

Subject: FW: Executive Orders 13767 and 13768 and the Secretary's Implementation Directions of February 20, 2017

Importance: High

(b)(6), (b)(7)(C)

Acting Chief of Staff

United States Border Patrol

Office: (b)(6), (b)(7)(C) Mobile: (b)(6), (b)(7)(C)

From: (b)(6), (b)(7)(C)

Sent: Tuesday, February 21, 2017 1:41 PM

To: BP Field Chiefs (b)(7)(E) BP Field Deputies: (b)(7)(E)

Cc: VITIELLO, RONALD D (USBP) (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

PROVOST, CARLA (USBP)

(b)(6), (b)(7)(C)

Subject: Executive Orders 13767 and 13768 and the Secretary's Implementation Directions of February 20, 2017

Importance: High

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(b)(6), (b)(7)(C)

Acting Chief of Staff

United States Border Patrol

Office: (b)(6), (b)(7)(C) Mobile: (b)(6), (b)(7)(C)

From: (b)(6), (b)(7)(C)
Sent: Tuesday, March 7, 2017 4:14 PM
To: (b)(6), (b)(7)(C)
Subject: FW: Executive Orders 13767 and 13768 and the Secretary's Implementation Directions of February 20, 2017
Attachments: Final (02-20-2017) Enforcement-of-the-Immigration-Laws-to-Serve-the-National-Interest.pdf; Final (02-20-2017) Implementing-the-Presidents-Border-Security-Immigration-Enforcement-Improvement-Policies.pdf; USBP DHS Training (02-21-2017).pptx; B1 Memoranda - Executive Orders 13767 and 13768 and the Secretary's Implementation Directions of February 20, 2017.pdf
Importance: High

From: (b)(6), (b)(7)(C)
Sent: Tuesday, March 07, 2017 3:12 PM
To: DRT STAFF TASKING (b)(7)(E)
Cc: OPS EAST SECTOR (b)(7)(E)
Subject: FW: Executive Orders 13767 and 13768 and the Secretary's Implementation Directions of February 20, 2017
Importance: High

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Thank you,

(b)(6), (b)(7)(C)
Assistant Chief
Operations-East Division
Law Enforcement Operations Directorate
US Border Patrol Headquarters
Mobile: (b)(6), (b)(7)(C)

From: (b)(6), (b)(7)(C)
Sent: Tuesday, March 07, 2017 8:45:18 PM
To: OPS EAST SECTOR; OPS WEST SECTORS
Cc: USBP LEOD Associate Chiefs; USBP HQ Adjutants; (b)(6), (b)(7)(C)
Subject: FW: Executive Orders 13767 and 13768 and the Secretary's Implementation Directions of February 20, 2017

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NLL
DRT
TCA
EPT
DTM
SPW
BLW
YUM
RGV
SDC
HQ-MROD
HQ-SPAD

Thanks

(b)(6), (b)(7)(C)

Assistant Chief

Adjutant to (b)(6), (b)(7)(C)

Chief-Law Enforcement Operations

U.S. Border Patrol Headquarters

(O) (b)(6), (b)(7)(C)

(C) (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

From (b)(6), (b)(7)(C)

Sent: Tuesday, February 28, 2017 11:32 AM

To: (b)(6), (b)(7)(C)

Subject: FW: Executive Orders 13767 and 13768 and the Secretary's Implementation Directions of February 20, 2017

Importance: High

(b)(6), (b)(7)(C)

Acting Chief of Staff

United States Border Patrol

Office: (b)(6), (b)(7)(C) Mobile: (b)(6), (b)(7)(C)

From: (b)(6), (b)(7)(C)

Sent: Tuesday, February 21, 2017 1:41 PM

To: BP Field Chiefs (b)(7)(E) BP Field Deputies (b)(7)(E)

Cc: VITIELLO, RONALD D (USBP) (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

PROVOST, CARLA (USBP)

(b)(6), (b)(7)(C)

Subject: Executive Orders 13767 and 13768 and the Secretary's Implementation Directions of February 20, 2017

Importance: High

Chief Patrol Agents must immediately acknowledge receipt of this email and the attached documents.

Chiefs,

Attached you will find four documents;

1. Secretary Kelly's Memorandum entitled *Implementing the President's Border Security and Immigration Enforcement Improvement Policies*
2. Secretary Kelly's Memorandum entitled *Enforcement of the Immigration Laws to Serve the National Interest*
3. Chief Vitiello's Memorandum entitled *Executive Orders 13767 and 13768 and the Secretary's Implementation Directions of February 20, 2017*
4. Department of Homeland Security PowerPoint entitled *Implementing the President's Border Security and Immigration Enforcement Improvement Policies and Enforcement of the Immigration Laws to Serve the National Interest*

It is imperative that the details contained in the memoranda and PowerPoint be disseminated and thoroughly briefed, either in person or by other means and that the contents of the attachments are understood by all Border Patrol agents.

In order to ensure that all agents have received the information attached, send a memorandum of compliance to Border Patrol Headquarters no later than close of business March 7, 2017. The intent is to meet 100% compliance, however, it is understood that there may be exigent circumstances in which 100% compliance cannot be attained. This should be articulated on a case-by-case basis. Please report your completion status through your respective corridors.

(b)(6), (b)(7)(C)

Acting Chief of Staff

United States Border Patrol

Office: (b)(6), (b)(7)(C) Mobile: (b)(6), (b)(7)(C)

From: (b)(6), (b)(7)(C)
Sent: Tuesday, March 7, 2017 4:15 PM
To: (b)(6), (b)(7)(C)
Subject: FW: Executive Orders 13767 and 13768 and the Secretary's Implementation Directions of February 20, 2017
Attachments: Final (02-20-2017) Enforcement-of-the-Immigration-Laws-to-Serve-the-National-Interest.pdf; Final (02-20-2017) Implementing-the-Presidents-Border-Security-Immigration-Enforcement-Improvement-Policies.pdf; USBP DHS Training (02-21-2017).pptx; B1 Memoranda - Executive Orders 13767 and 13768 and the Secretary's Implementation Directions of February 20, 2017.pdf
Importance: High

From: (b)(6), (b)(7)(C)
Sent: Tuesday, March 07, 2017 3:12 PM
To: DRT STAFF TASKING <(b)(7)(E)>
Cc: OPS EAST SECTOR (b)(7)(E)
Subject: FW: Executive Orders 13767 and 13768 and the Secretary's Implementation Directions of February 20, 2017
Importance: High

Good afternoon,

Courtesy reminder for the final response memo. If you already submitted and I missed it, please resend.

Thank you,

(b)(6), (b)(7)(C)
Assistant Chief
Operations-East Division
Law Enforcement Operations Directorate
US Border Patrol Headquarters
Mobile: (b)(6), (b)(7)(C)

From: (b)(6), (b)(7)(C)
Sent: Tuesday, March 07, 2017 8:45:18 PM
To: OPS EAST SECTOR; OPS WEST SECTORS
Cc: USBP LEOD Associate Chiefs; USBP HQ Adjutants; (b)(6), (b)(7)(C)
Subject: FW: Executive Orders 13767 and 13768 and the Secretary's Implementation Directions of February 20, 2017

Good afternoon.

I am still lacking final responses from the below sectors. Suspense date is today COB.

NLL
DRT
TCA
EPT
DTM
SPW
BLW
YUM
RGV
SDC
HQ-MROD
HQ-SPAD

Thanks

(b)(6), (b)(7)(C)

Assistant Chief

Adjutant to Scott Luck

Chief-Law Enforcement Operations

U.S. Border Patrol Headquarters

(O)
(C)

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

From: (b)(6), (b)(7)(C)

Sent: Tuesday, February 28, 2017 11:32 AM

To: (b)(6), (b)(7)(C)

Subject: FW: Executive Orders 13767 and 13768 and the Secretary's Implementation Directions of February 20, 2017

Importance: High

(b)(6), (b)(7)(C)

Acting Chief of Staff

United States Border Patrol

Office: (b)(6), (b)(7)(C) Mobile: (b)(6), (b)(7)(C)

From: (b)(6), (b)(7)(C)

Sent: Tuesday, February 21, 2017 1:41 PM

To: BP Field Chiefs (b)(7)(E) BP Field Deputies (b)(7)(E)

Cc: VITIELLO, RONALD D (USBP) (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

PROVOST, CARLA (USBP)

(b)(6), (b)(7)(C)

Subject: Executive Orders 13767 and 13768 and the Secretary's Implementation Directions of February 20, 2017

Importance: High

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Chiefs,

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(b)(6), (b)(7)(C)

Acting Chief of Staff

United States Border Patrol

Office: (b)(6), (b)(7)(C) Mobile: (b)(6), (b)(7)(C)

From:

(b)(6), (b)(7)(C)

Sent:

Friday, October 6, 2017 2:03 PM

To:

(b)(6), (b)(7)(C) OPS EAST SECTOR

Cc:

(b)(6), (b)(7)(C)

Subject:

RGV Response DACA congressional response

Attachments:

DACA Rescission Guidance.pdf; FW: Executive Orders 13767 and 13768 and the

Secretary's Implementation Directions of February 20, 2017; Congressional

response 10-6-17.docx

(b)(6), (b)(7)(C)

Good Afternoon AC

(b)(6), (b)(7)(C)

Please find the response from RGV Sector.

RGV's POC is (A) ACPA

(b)(6), (b)(7)(C)

Thank you.

-----BREAK-----

Answer #1:

The Falfurrias Checkpoint had a total of nine DACA recipients arrive in a short span throughout the day on September 11, 2017. Two of these subjects were encountered during a bus check in two separate commercial buses and the other seven (7) were encountered during a routine primary immigration inspection. All individuals claimed to be approved DACA recipients and, as such, were temporarily detained pending verification.

Biographic and biometric information was captured for all subjects. Their eligibility for DACA was subsequently verified through system checks. Record checks for criminal history were conducted for each individual to ensure that no derogatory information existed to justify termination of DACA. The time in custody varied for each subject; however, once DACA validity was confirmed and records checks disclosed no derogatory information, the individuals were released from Border Patrol custody on the same day.

Answer #2:

See attached DACA Rescission Guidance.

Answer #3:

See attached Guidance:

Secretary Kelly's Memorandum entitled Implementing the President's Border Security and Immigration Enforcement Improvement Policies

Secretary Kelly's Memorandum entitled Enforcement of the Immigration Laws to Serve the National Interest

Chief Vitiello's Memorandum entitled Executive Orders 13767 and 13768 and the Secretary's Implementation Directions of February 20, 2017

Department of Homeland Security PowerPoint entitled Implementing the President's Border Security and Immigration Enforcement Improvement Policies and Enforcement of the Immigration Laws to Serve the National Interest

(b)(6), (b)(7)(C)

Supervisory Mission Support Specialist
Rio Grande Valley Sector Headquarters
U.S. Border Patrol

PH: **(b)(6), (b)(7)(C)**

From: **(b)(6), (b)(7)(C)**

Sent: Wednesday, October 04, 2017 12:15 PM

To: RGV STAFF TASKS **(b)(7)(E)**

Subject: DACA congressional response

Good afternoon,

Please see the attached congressional letter requiring a response. Please provide information relating to the questions that will be used to draft a response.

Thank you

(b)(6), (b)(7)(C)

Assistant Chief

Ops East Central Division

Office: **(b)(6), (b)(7)(C)**

Cell:

From:

(b)(6), (b)(7)(C)

Sent:

Friday, October 6, 2017 11:36 AM

To:

(b)(6), (b)(7)(C)

Subject:

FW: Executive Orders 13767 and 13768 and the Secretary's Implementation Directions of February 20, 2017

Attachments:

Final (02-20-2017) Enforcement-of-the-Immigration-Laws-to-Serve-the-National-Interest.pdf; Final (02-20-2017) Implementing-the-Presidents-Border-Security-Immigration-Enforcement-Improvement-Policies.pdf; USBP DHS Training (02-21-2017).pptx; B1 Memoranda - Executive Orders 13767 and 13768 and the Secretary's Implementation Directions of February 20, 2017.pdf

Secretary Kelly's Memorandum entitled Implementing the President's Border Security and Immigration Enforcement Improvement Policies

2. Secretary Kelly's Memorandum entitled Enforcement of the Immigration Laws to Serve the National Interest
3. Chief Vitiello's Memorandum entitled Executive Orders 13767 and 13768 and the Secretary's Implementation Directions of February 20, 2017
4. Department of Homeland Security PowerPoint entitled Implementing the President's Border Security and Immigration Enforcement Improvement Policies and Enforcement of the Immigration Laws to Serve the National Interest

Thank you,

(b)(6), (b)(7)(C)

A-ACPA

LEOPD

Rio Grande Valley Sector

O (b)(6), (b)(7)(C)

C (b)(6), (b)(7)(C)

From: (b)(6), (b)(7)(C)
Sent: Monday, February 27, 2017 4:26 PM
To: CAR-WC-SOS
Cc: (b)(6), (b)(7)(C)
Subject: FW: Executive Orders 13767 and 13768 and the Secretary's Implementation Directions of February 20, 2017
Attachments: Final (02-20-2017) Enforcement-of-the-Immigration-Laws-to-Serve-the-Nati....pdf; Final (02-20-2017) Implementing-the-Presidents-Border-Security-Immigrati....pdf; USBP DHS Training (02-21-2017).pptx; B1 Memoranda - Executive Orders 13767 and 13768 and the Secretary's Impl....pdf
Importance: High

Gentlemen,

This went out last Wednesday. As of noon today, DPAIC Salinas and I received exactly zero responses. I recognize that it is Monday, February 27, 2017 not Tuesday, February 27, 2017 as I inadvertently put in my email below. I know that you all are doing the training with your units, however, we have not been provided any updates. Please notify us both via email when your units are at 100% trained and include an electronic copy of your training roster. ALL AGENTS must be trained by 3/6, but we expect confirmation of completion prior to that date. If you have any questions, please see me.

Respectfully,

(b)(6), (b)(7)(C)

Patrol Agent in Charge
Carrizo Springs Border Patrol Station

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) office)
(b)(6), (b)(7)(C) cell)
(b)(6), (b)(7)(C) fax)

From: (b)(6), (b)(7)(C)
Sent: Wednesday, February 22, 2017 3:36 PM
To: CAR-SUPS (b)(7)(E)
Cc: (b)(6), (b)(7)(C)
Subject: Executive Orders 13767 and 13768 and the Secretary's Implementation Directions of February 20, 2017
Importance: High

All,

Please see the attachments and begin presenting the training Power Point to all personnel. We need to keep training rosters for this and DPAIC (b)(6), (b)(7)(C) and I will need an update by 1200 hours on Tuesday, February 27, 2017. ALL personnel must be trained by Monday, March 6, 2017, but if we can get it all done by the 27th, that would be preferable. We have to report training status to DC on the 27th. Thanks and let us know if you have questions.

Respectfully,

(b)(6), (b)(7)(C)

Patrol Agent in Charge

Carrizo Springs Border Patrol Station

(b)(6), (b)(7)(C)

(office)

(b)(6), (b)(7)(C) (cell)

(fax)

From: (b)(6), (b)(7)(C)
Sent: Tuesday, February 28, 2017 5:04 PM
To: (b)(6), (b)(7)(C)
Cc:
Subject: FW: Executive Orders 13767 and 13768 and the Secretary's Implementation Directions of February 20, 2017
Attachments: Final (02-20-2017) Enforcement-of-the-Immigration-Laws-to-Serve-the-Nati....pdf; Final (02-20-2017) Implementing-the-Presidents-Border-Security-Immigrati....pdf; USBP DHS Training (02-21-2017).pptx; B1 Memoranda - Executive Orders 13767 and 13768 and the Secretary's Impl....pdf
Importance: High

HP completed.

From: (b)(6), (b)(7)(C)
Sent: Monday, February 27, 2017 3:26 PM
To: CAR-WC-SOS (b)(7)(E)
Cc: (b)(6), (b)(7)(C)
Subject: FW: Executive Orders 13767 and 13768 and the Secretary's Implementation Directions of February 20, 2017
Importance: High

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Respectfully,
(b)(6), (b)(7)(C)
Patrol Agent in Charge
Carrizo Springs Border Patrol Station

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) (office)
(b)(6), (b)(7)(C) (cell)
(b)(6), (b)(7)(C) (fax)

From: (b)(6), (b)(7)(C)
Sent: Wednesday, February 22, 2017 3:36 PM
To: CAR-SUPS (b)(7)(E)
Cc: (b)(6), (b)(7)(C)
Subject: Executive Orders 13767 and 13768 and the Secretary's Implementation Directions of February 20, 2017
Importance: High

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Respectfully,

(b)(6), (b)(7)(C)

Patrol Agent in Charge

Carrizo Springs Border Patrol Station

(b)(6), (b)(7)(C)

(office)

(b)(6), (b)(7)(C)

(cell)

(fax)